

FEDERAL REGISTER



VOLUME 18 NUMBER 88

Washington, Thursday, May 7, 1953

TITLE 3—THE PRESIDENT

PROCLAMATION 3013

MOTHER'S DAY, 1953

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS it is our national custom, hallowed by long observance, to devote one day each year especially to honoring our mothers and expressing our appreciation of their steadfast faith and idealism, which have helped to make our country strong and great; and

WHEREAS the Congress, by a joint resolution approved May 8, 1914, 38 Stat. 770, gave official sanction to this annual observance by designating the second Sunday in May of each year as Mother's Day, and requesting the President to issue a proclamation calling for the celebration of the day

NOW THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby request that Sunday, May 10, 1953, be observed as Mother's Day and I direct the appropriate officials of the Government to arrange for the display of the flag of the United States on all public buildings on that day.

I also call upon the people of the Nation generally to give public and private expression to the reverence we all feel for motherhood, through the display of the flag at their homes or other suitable places on the appointed day, through prayers at their places of worship, and through renewed devotion to those high ideals which our mothers have instilled into our hearts.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of May in the year of our Lord nineteen hundred and fifty-three, and of the Independence of the United States of America the one hundred and seventy-seventh.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 53-4086; Filed, May 5, 1953; 4:28 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter D—Water Facilities Loans
[FHA Instruction 443.4]

PART 354—PROCESSING LOANS TO INDIVIDUALS

TENANT-APPLICANT LEASES

Section 354.1, Title 6, Code of Federal Regulations (17 F. R. 9579) is revised to add paragraph (k) to provide for equitable lease arrangement for tenant-applicants, and to read as follows:

§ 354.1 *Loan forms and routines.* * * *

(k) *Leases.* When the lease held by a tenant-applicant is not equitable and does not provide for reimbursement for real estate improvements made by the tenant, Form FHA-160, "Water Facilities Improvement Lease," or Form FHA-260, "Supplement to Lease," whichever is applicable, will be used.

(Sec. 6 (3), 50 Stat. 870; 16 U. S. C. 5907 (3). Interprets or applies secs. 2 (3), 5, 50 Stat. 869, 870; 16 U. S. C. 5905 (3), 5907)

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

APRIL 17, 1953.

Approved: May 1, 1953.

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-3989; Filed, May 6, 1953; 8:49 a. m.]

Subchapter F—Miscellaneous Regulations
[FHA Instruction 491.1]

PART 386—DISPOSAL OF RESERVED MINERAL INTERESTS

FURNISHING TITLE EVIDENCE

1. Section 386.3 (b) (3), Title 6, Code of Federal Regulations (16 F. R. 1929), is revised for clarification with respect to the surface title evidence which applicants will be required to furnish, and to read as follows:

§ 386.3 *Sales in \$1.00 per application areas.* * * *

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Principal Officials in the Executive Branch Appointed January 20–April 20, 1953

A listing of approximately 200 appointments made after January 20, 1953. Names contained in the list replace corresponding names appearing in the 1952–53 U. S. Government Organization Manual

Price 10 cents

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(b) Terms and conditions of sale.

* * *

(3) Establishment of surface title.

Applicants must establish, at their own expense, to the satisfaction of the Government, that on the date of their application, they and any other persons on whose behalf the application is made, are the owners of the surface of the land covered by their application. Applicants will be required to furnish evidence of their surface title in the form of a supplemental abstract of title or an attorney's opinion or certificate of title based on examination of the records. Additional title evidence which the Government deems necessary for use in determining the surface ownership also may be required. Such evidence of surface title will cover at least the period from the time of recordation of the surface deed or deeds in which the mineral reservations were made (or from the time of recordation of the transfer deed or deeds approved by the Government in transfer cases) through the date of execution of Form FHA-987.

(Sec. 41 (1), 60 Stat. 1066, secs. 4 (c), 6, 64 Stat. 100, 770; 7 U. S. C. 1015 (1), 1038, 40 U. S. C. 442 (c). Interpret or apply secs. 2 (b), 43 (a), (d), (e), 60 Stat. 1063, 1067,

1068, secs. 1, 2, 3, 5, 7, 64 Stat. 763, 770, sec. 2 (f), 64 Stat. 99; 7 U. S. C. 1001 note, 1017 (a), (d), (e), 1033, 1034, 1035, 1037, 1039, 40 U. S. C. 440 (f))

2. Section 386.4 (b) (4) Title 6, Code of Federal Regulations (16 F. R. 1929), is revised for clarification with respect to the surface title evidence which applicants will be required to furnish, and to read as follows:

§ 386.4 Sales in fair market value areas. * * *

(b) Terms and conditions of sale. * * *

(4) Establishment of surface title.

Applicants must establish, at their own expense, to the satisfaction of the Government, that on the date of their application, they and any other persons on whose behalf the application is made, are the owners of the surface of the land covered by their application. Applicants will be required to furnish evidence of their surface title in the form of a supplemental abstract of title or an attorney's opinion or certificate of title based on examination of the records. Additional title evidence which the Government deems necessary for use in determining the surface ownership also may be required. Such evidence of surface title will cover at least the period from the time of recordation of the surface deed or deeds in which the mineral interest were reserved (or from the time of recordation of the transfer deed or deeds approved by the Government in transfer cases) through the date of execution of Form FHA-990.

(Sec. 41 (1), 60 Stat. 1066, secs. 4 (c), 6, 64 Stat. 100, 770; 7 U. S. C. 1015 (1), 1039, 40 U. S. C. 442 (c). Interpret or apply secs. 2 (b), 43 (a), (d), (e), 60 Stat. 1063, 1067, 1068, secs. 1, 2, 3, 5, 7, 64 Stat. 763, 770, sec. 2 (f), 64 Stat. 99; 7 U. S. C. 1001 note, 1017 (a), (d), (e), 1033, 1034, 1035, 1037, 1039, 40 U. S. C. 440 (f))

[SEAL] DILLARD B. LASSITER,
Administrator,
Farmers Home Administration.

APRIL 27, 1953. *

Approved: May 1, 1953.

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-3988; Filed, May 6, 1953;
8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

U. S. STANDARDS FOR FRESH SHELLED LIMA BEANS FOR PROCESSING

On March 25, 1953, a notice of proposed rule making was published in the FEDERAL REGISTER (F. R. Doc. 53-2568; 18 F. R. 1692) regarding proposed United States Standards for Fresh Shelled Lima Beans for Processing.

A period of thirty days was allowed for submitting written data, views and

arguments for consideration in connection with the proposed standards. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice of rule making, the following United States Standards for Fresh Shelled Lima Beans for Processing are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952)

§ 51.129 Standards for fresh shelled lima beans for processing—(a) Grades—

(1) U. S. No. 1. U. S. No. 1 consists of shelled lima beans of similar varietal characteristics which are fairly tender, have a green color and which are free from decay and from injury caused by discoloration, shriveling, sunscald, heating, freezing, disease, insects, or other means.

(2) U. S. No. 2. U. S. No. 2 consists of shelled lima beans which are free from decay, and from damage caused by discoloration, shriveling, sunscald, heating, freezing, disease, insects, or other means.

(b) Culls. Culls are lima beans which fail to meet the requirements of either of the foregoing grades.

(c) Foreign material. Thistle buds, weed seeds, pods or other foreign material are not incorporated in the standards since their presence is not a factor of quality for the purpose of these grades. However, the amount of such foreign material permitted in a lot may be fixed by agreement between grower and processor.

(d) Definitions. (1) "Fairly tender" means that the lima beans are not hard, tough, or rubbery.

(2) "Green color" means that the cotyledons of each bean shall have a green color characteristic of a tender or fairly tender bean for the variety.

(3) "Injury" means any defect which more than slightly affects the canning or freezing quality. Split or broken beans incident to proper harvesting and vining operations shall not be considered as injury.

(4) "Damage" means any defect which materially affects the canning or freezing quality. Split or broken beans incident to proper harvesting and vining operations shall not be considered as damage.

Effective time. The United States Standards for Fresh Shelled Lima Beans for processing contained in this section and which supersede the United States Standards for Fresh Shelled Lima Beans for Processing effective December 27, 1945, shall become effective thirty (30) days after the date of publication in the FEDERAL REGISTER.

(Sec. 203, 60 Stat. 1039; 7 U. S. C. 1624)

Done at Washington, D. C., this 1st day of May 1953.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator
Production and Marketing
Administration.

[F. R. Doc. 53-3994; Filed, May 6, 1953;
8:49 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

PART 131—HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

STATEMENT OF POLICY

Because of the emergency resulting from the existence in many sections of the United States of the contagious disease of swine known as vesicular exanthema, production of anti-hog-cholera serum by some manufacturers has been seriously handicapped. Therefore, the policy of the Department of Agriculture is that § 131.79 of the order, as amended, regulating the handling of anti-hog-cholera serum and hog-cholera virus (9 CFR 131.79) will not be construed as applying to any manufacturer who is unable to have available on May 1, 1953, the requisite supply of completed serum because of conditions beyond his control attributable to the existence of vesicular exanthema.

(49 Stat. 781-782; 7 U. S. C. 851-855)

Done at Washington, D. C., this 1st day of May 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-3987; Filed, May 6, 1953;
8:48 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade [6th Gen. Rev. of Export Regs., Amdt. 45]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

MISCELLANEOUS AMENDMENTS

Section 373.65 *Country Group R destinations*, paragraph (a) *Scope* is amended in the following particulars:

1. A new subparagraph (4) is added to read as follows:

(4) *Alternative for Multiple-Transaction Statement.* (i) In lieu of submitting a new Multiple-Transaction Statement, the coverage period of a Multiple-Transaction Statement presently on file in the OIT may be extended by the submission to the OIT of (a) a certification completed by the ultimate consignee and (b) a copy of the U. S. exporter's letter to his ultimate consignee requesting the completion of such certification. Such certification and letter shall meet as a minimum, the requirements described in this subparagraph and shall be submitted in the same number of copies as required for Multiple-Transaction Statements under subparagraph (3) of this paragraph.

(ii) The following certification shall be signed by the ultimate consignee:

I (we) certify that:

(1) I (we) have reread our Multiple-Transaction Statement, Form IT-843, dated _____,

(2) The facts contained in that Multiple-Transaction Statement which has expired or will expire on _____ have not changed (Date)

to date;

(3) The facts contained in that statement accurately and completely reflect our past and present relationship with _____ and our intended

(Name of U. S. exporter) use and disposition of commodities received during the period ending: _____ (Date not later than June 30 of next year);

(4) I (we) shall promptly send a supplemental statement to the named U. S. exporter disclosing any change of facts or intentions set forth in that statement or this certification, which occurs after the signing of this certification;

(5) With respect to any shipment which I (we) propose to dispose of contrary to the representations made in the above-described Form IT-843, we will notify the named U. S. exporter, and will secure U. S. Government approval through this exporter prior to such disposition.

(Date of signing)

(Signature of official of firm named)

(Name and title of person signing statement)

(Print or type)

(Name of consignee/purchaser)

(Address of consignee/purchaser)

(iii) The U. S. exporter's letter to his consignee requesting the above certification shall, among other things, include the following instructions: (a) The original Multiple-Transaction Statement shall be reexamined to make sure that the facts and intentions have not changed; (b) the commodities covered shall be used in the designated country only; (c) such commodities shall not be diverted or transhipped to other destinations without prior U. S. approval; (d) the exporter must be informed of any future change of facts or intentions from those stated in the certification.

2. A new subparagraph (5) is added to read as follows:

(5) *Applications supported by Multiple-Transaction Statements.* All applications for licenses supported by a Multiple-Transaction Statement, or by a certification extending the coverage period of a Multiple-Transaction Statement, must contain the following statement:

This application is supported by the Multiple-Transaction Statement dated _____, (and, if applicable, certification extending the coverage period of a Multiple-Transaction Statement dated _____) from the named consignee to this applicant.

3. Subparagraphs (4) *Statement from foreign purchaser* (5) *Applications filed without statements*, and (6) *30-day grace period for Positive List additions* are renumbered subparagraphs (6), (7), and (8) respectively.

This amendment shall become effective as of May 4, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 53-3979; Filed, May 6, 1953;
8:47 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter B—Property Improvement Loans

PART 203—TITLE I MORTGAGE INSURANCE; ELIGIBILITY REQUIREMENTS

INTEREST RATE

Section 203.9 is hereby amended to read as follows:

§ 203.9 *Rate of interest.* The mortgage may bear interest at such rate as may be agreed upon between the mortgagee and the mortgagor but in no case shall such interest rate be in excess of 4½ percent per annum. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 2, 48 Stat. 1246, as amended; 13 U. S. C. and Sup., 1703g. Interprets or applies sec. 102, Pub. Law 475, 81st Cong.)

Issued at Washington, D. C., May 2, 1953.

GUY T. O. HOLLYDAY,
Federal Housing Commissioner

[F. R. Doc. 53-3981; Filed, May 6, 1953;
8:48 a. m.]

Subchapter C—Mutual Mortgage Insurance

PART 221—MUTUAL MORTGAGE INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING ONE- TO FOUR-FAMILY DWELLINGS

INTEREST RATE

Section 221.18 is hereby amended to read as follows:

§ 221.18 *Rate of interest.* The mortgage may bear interest at such rate as may be agreed upon by the mortgagee and mortgagor, but in no case shall such interest rate be in excess of 4½ percent per annum. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, as added by Sec. 3, 53 Stat. 23; 12 U. S. C. 1715b)

Issued at Washington, D. C., May 2, 1953.

GUY T. O. HOLLYDAY,
Federal Housing Commissioner

[F. R. Doc. 53-3982; Filed, May 6, 1953;
8:48 a. m.]

Subchapter D—Multifamily and Group Housing Insurance

PART 232—MULTIFAMILY HOUSING INSURANCE: ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING MULTIFAMILY HOUSING

INTEREST RATE

Section 232.7 is hereby amended to read as follows:

§ 232.7 *Interest rate.* The mortgage shall bear interest, not exceeding 4½ percent per annum, on the amount of the principal obligation outstanding at any time, as may be agreed upon between the mortgagor and mortgagee. All charges made in connection with the mortgage transaction shall be subject to the approval of the Commissioner.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b. Interprets or applies sec. 207, 48 Stat. 1252, as amended; 12 U. S. C. 1713)

Issued at Washington, D. C., May 2, 1953.

GUY T. O. HOLLYDAY,
Federal Housing Commissioner.

[F. R. Doc. 53-3983; Filed, May 6, 1953; 8:48 a. m.]

Subchapter H—War Housing Insurance

PART 278—WAR HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE UNDER SECTION 603 PURSUANT TO SECTION 610 OF THE NATIONAL HOUSING ACT

INTEREST RATE

Section 278.11 is hereby amended to read as follows:

§ 278.11 *Rate of interest.* The mortgage may bear interest at such rate as may be agreed upon between the mortgagee and the mortgagor, but in no case shall such interest rate be in excess of 4½ percent per annum. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 607, as added by sec. 1, 55 Stat. 61; 12 U. S. C. and Sup., 1742. Interprets or applies sec. 603, as added by sec. 1, 55 Stat. 56, as amended; 12 U. S. C. and Sup., 1738)

Issued at Washington, D. C., May 2, 1953.

GUY T. O. HOLLYDAY,
Federal Housing Commissioner

[F. R. Doc. 53-3984; Filed, May 6, 1953; 8:48 a. m.]

Subchapter I—War Rental Housing Insurance

PART 283—MULTIFAMILY WAR HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE UNDER SECTION 608 PURSUANT TO SECTION 610 OF THE NATIONAL HOUSING ACT

INTEREST RATE

Section 283.13 is amended to read as follows:

§ 283.13 *Interest rate.* The mortgage may bear interest at such rate as may be agreed upon between the mortgagee and the mortgagor, but in no case shall such interest rate be in excess of 4½ percent

per annum. Interest shall be payable only on principal outstanding and shall be payable in monthly installments.

(Sec. 607, as added by sec. 1, 55 Stat. 61; 12 U. S. C. and Sup., 1742. Interprets or applies sec. 608, as added by sec. 11, 50 Stat. 363, as amended; 12 U. S. C. and Sup., 1743)

Issued at Washington, D. C., May 2, 1953.

GUY T. O. HOLLYDAY,
Federal Housing Commissioner

[F. R. Doc. 53-3985; Filed, May 6, 1953; 8:48 a. m.]

Subchapter N—National Defense Housing Insurance

PART 294—ELIGIBILITY REQUIREMENTS FOR NATIONAL DEFENSE HOUSING INSURANCE

INTEREST RATE

Section 294.10 is hereby amended to read as follows:

§ 294.10 *Rate of interest.* The mortgage may bear interest at such rate as may be agreed upon between the mortgagee and the mortgagor, but in no case shall such interest rate be in excess of 4½ percent per annum. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 907, as added by sec. 201, 65 Stat. 301)

Issued at Washington, D. C., May 2, 1953.

GUY T. O. HOLLYDAY,
Federal Housing Commissioner.

[F. R. Doc. 53-3986; Filed, May 6, 1953; 8:43 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 561—ARMY RESERVE

APPOINTMENTS

Section 561.16 is rescinded and the following substituted therefor:

§ 561.16 *Appointment as Reserve commissioned officers of the Army for assignment to the Chaplains branch—*

(a) *General.* This section sets forth the requirements and procedures for the appointment of qualified individuals as Reserve officers of the Army for service in the Army Reserve and assignment to the Chaplains branch.

(b) *Grade.* (1) Appointments of individuals under this section will not be made in the grade of second lieutenant except as provided in subparagraph (3) of this paragraph, or in general officer grades.

(2) Subject to the restrictions set forth in subparagraph (1) of this paragraph and paragraphs (c) and (d) (2) and (3) of this section, appointments may be made in the following grades:

(i) Applicants who have had no prior commissioned service will be appointed initially in the grade of first lieutenant only. Appointment in higher grades may be made by the Secretary of the Army upon recommendation of the Chief of Chaplains.

(ii) Former chaplains of any of the Armed Forces of the United States other than the Army may be appointed in a grade corresponding to the last grade held.

(iii) Former chaplains of any component of the Army or of the Army of the United States without component, may be appointed in the highest grade held.

(iv) Former officers of any of the Armed Forces of the United States other than the Army who have had no service as chaplains may be appointed in a grade not above that of captain.

(v) Former officers of any component of the Army or of the Army of the United States without component, who have had no service as chaplains may be appointed in a grade not above that of captain.

(vi) Chaplains of reserve components of other Armed Forces of the United States, may be appointed in a grade corresponding to the last grade held.

(3) Within authorized quotas qualified individuals who meet the necessary requirements as set forth in paragraph (d) (3) of this section may be appointed in the grade of second lieutenant as Reserve officers of the Army for service in the Army Reserve and with assignment to the Chaplains branch subject to the restrictions as set forth in paragraph (c) (3) of this section.

(c) *Limitations on appointments.* Appointments will be limited to:

(1) Those necessary to fill existing vacancies in the Ready Reserve troop program units when there are no qualified officers of appropriate or lower grade available to fill such vacancies.

(2) Those necessary to fill mobilization designation position vacancies within authorized ceilings when the individual has been approved by the T/D proponent agency for designation to fill such position.

(3) Those necessary to meet the need for Chaplains in the Ready Reserve reinforcements under quotas announced by the Department of the Army but not above the grade of captain.

(4) Those necessary to meet the need for officers for active duty, when qualified Reserve officers are not available.

(d) *Eligibility requirements.* (1) Applicants with prior service as chaplains in any of the Armed Forces of the United States must meet the requirements outlined in §§ 561.2 to 561.8 and in subparagraph (2) (ii) (iii) and (iv) of this paragraph.

(2) Applicants for initial appointment in the grades above second lieutenant and former officers who have had no prior service as chaplains must meet the following requirements in addition to those contained in §§ 561.2 to 561.8.

(i) *Education.* (a) Applicants must possess a consolidated transcript of 120 semester hours of undergraduate credit obtained at a recognized college or university, and a consolidated transcript of 90 semester hours of credit obtained at a recognized theological school or equivalent credits in the fields of religion and the social sciences performed in a recognized university or other graduate school. The Secretary of the Army will consider requests for waiver of the

graduate requirement upon specific recommendation of the Chief of Chaplains.

(b) A senior seminary student of a recognized theological school who desires appointment and call to active duty is not required to have completed graduate study as described above at the time of application, which may be initiated 120 days prior to graduation and ordination, but must submit transcripts of graduate work at the theological school which will include seminary courses or a statement of the registrar of the hours earned to date of application and also the hours which will be credited upon completion of the school year. The Department of the Army will verify successful completion of graduate study prior to appointment.

(ii) *Age.* (a) Applicant must have reached his eighteenth birthday at date of initial appointment.

(b) Applicants must not have reached the birthday indicated below prior to appointment in the grade indicated.

Grade:	Age
First lieutenant.....	33
Captain.....	39
Major.....	48
Lieutenant colonel.....	51
Colonel.....	55

(c) Age limits shown in (b) of this subdivision may be increased for former chaplains of any component of the Army and of the Army of the United States without component by an amount not to exceed previous length of service in the grade in which appointment is authorized.

(d) The Secretary of the Army upon recommendation of the Chief of Chaplains, will consider granting waiver of age limitation for initial appointment and concurrent active duty in the grade of first lieutenant for certain individuals who have not attained their thirty-ninth birthday and who are otherwise qualified.

(iii) *Ecclesiastical indorsement.* Applicants must present an ecclesiastical indorsement certifying that the applicant is accredited by and in good standing in a recognized religious denomination or organization; that he is a fully ordained or accredited priest, rabbi, or minister of religion; that he is actively engaged in the pursuit of his religious vocation; and that he is recommended as being qualified spiritually, intellectually, and emotionally for the Army Chaplaincy. In lieu of ecclesiastical indorsement, senior theological students who desire active duty may submit a conditional ecclesiastical indorsement from their respective denominational agency indicating that they will receive full indorsement upon ordination. The Department of the Army will verify ecclesiastical qualifications and endorsement prior to appointment.

(3) Applicants for initial appointment in the grade of second lieutenant must meet the following requirements in addition to those contained in §§ 561.2 to 561.8.

(i) Present transcript of 120 undergraduate hours completed in a recognized college or university.

(ii) Present ecclesiastical approval from the applicant's religious body.

(iii) Present statement from the registrar of a recognized theological seminary that the applicant is either enrolled as a full-time student or has been accepted for the next entering class.

(iv) Applicants must make the following statement in the section for remarks (Item 34) on DA AGO Form 170 (Application for Appointment in the Officer's Reserve Corps) "If appointed in the grade of second lieutenant, USAR, for assignment to the Chaplain's Branch, I further agree to accept a commission as first lieutenant, USAR, if tendered, upon graduation from seminary and upon ordination. I agree to serve a minimum period of two full years on active duty upon appointment as first lieutenant if the Department of the Army requires my services."

(v) Applicants must not have reached their 30th birthday prior to appointment as second lieutenant.

(e) *Unit vacancies and active duty quotas.* Individuals interested in appointment may secure information from chiefs of military districts or unit commanders. Information regarding quotas for active duty may be secured from the appropriate area commander or the Chief of Chaplains, Department of the Army, Washington 25, D. C.

(f) *Applications.* (1) Individuals applying for appointment in grades above second lieutenant will submit application forms and allied papers prescribed by § 561.13, together with the following additional documents:

(i) *Senior theological students.* (a) Transcript or statement of registrar as specified in paragraph (d) (2) (i) (b) of this section.

(b) Conditional ecclesiastical indorsement as specified in paragraph (d) (2) (iii) of this section.

(ii) *Other applicants.* (a) A consolidated transcript undergraduate and graduate work.

(b) Ecclesiastical indorsement of the appropriate denominational indorsing agency.

(2) Individuals applying for appointment in the grade of second lieutenant will submit application forms and allied papers prescribed in § 561.13 together with additional documents specified in paragraph (d) (3) of this section.

[SR 140-105-4, April 20, 1953] (R. S. 161; 5 U. S. C. 22. Interprets or applies 66 Stat. 481)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-3991; Filed, May 6, 1953; 8:49 a. m.]

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiation Board Regulations Under the 1951 Act

PART 1451—SCOPE OF RENEGOTIATION BOARD REGULATIONS UNDER THE RENEGOTIATION ACT OF 1951, AND DEFINITIONS APPLICABLE THERETO

DEPARTMENT; SECRETARY

This part is amended as follows:

1. Section 1451.14 *Department* is amended by inserting therein the words

"the Bureau of Reclamation," before the words "and such other agencies of the Government"

2. Section 1451.15 *Secretary* is amended by inserting therein the words "the Commissioner of Reclamation," before the words "and the head of any other agency of the Government"

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: May 4, 1953.

NATHAN BASS,
Secretary.

[F. R. Doc. 53-4036; Filed, May 6, 1953; 8:57 a. m.]

PART 1474—AGREEMENT PROCEDURE

MODIFICATION OF TERMS OF PAYMENT

This part is amended by deleting § 1474.6 in its entirety and inserting in lieu thereof the following:

§ 1474.6 *Modification of terms of payment provided in agreement—*(a) *Filing of requests.* Any request for an extension of time to pay any sum due under an agreement shall be filed by the contractor with the Board or Regional Board which made such agreement, and a copy of any such request filed with a Regional Board shall be filed by the contractor with the Board. In all cases, at the time a request is filed a copy thereof shall be mailed by the contractor to the collecting agency designated in the agreement.

(b) *Approval of requests.* Authority to extend the time to pay any sum due under an agreement is hereby reserved to the Board. Any request for such an extension filed with a Regional Board will be forwarded by such Regional Board to the Board with the recommendation of the Regional Board.

(c) *Conditions.* No agreement for the elimination of excessive profits shall be modified for the purpose of extending the time for payment of any amount therein provided to be paid unless:

(1) The request for such extension of time is made by the contractor before the date upon which such payment is due.

(2) The contractor establishes by satisfactory evidence that it is unable to make such payment within the time provided therefor in the agreement, or that payment within the time provided in the agreement would impose upon the contractor an undue hardship which was not reasonably foreseeable when the agreement was made.

(3) The Board determines that the public interest will not be prejudiced by the granting of additional time.

(4) The contractor agrees to pay interest at the rate of 4 per centum per annum upon the amount with respect to which the time for payment is extended, such interest to accrue from and after the due date for such payment to the extended date therefor.

(5) The contractor agrees to comply with such other terms and conditions as the Board shall deem necessary to protect the interests of the Government.

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219. Interprets or applies Sec. 105, 65 Stat. 12; 50 U. S. C. App. Sup. 1215)

Dated: May 4, 1953.

NATHAN BASS,
Secretary.

[F. R. Doc. 53-4035; Filed, May 6, 1953;
8:56 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-5A of May 6, 1952]

M-5A—ALUMINUM

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the defense Production Act of 1950, as amended. In the formulation of this order there has been consultation with industry representatives and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable due to the need for immediate action.

Sec.

1. What this order does.
2. When this order becomes effective.
3. Definitions.
4. Applicability of other NPA orders and regulations.
5. Opening of order books.
6. Acceptance of orders.
7. Rejection of authorized controlled material orders.
8. Priority status of delivery orders.
9. Reserved portion of production.
10. Production requirements of aluminum producers.
11. Production materials for foil or powder fabricators.
12. Rules applicable to aluminum distributors.
13. Directives.
14. Request for adjustment or exception.
15. Records and reports.
16. Communications.
17. False statements.
18. Violations.

AUTHORITY: Sections 1 to 18 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp., secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. What this order does. This order establishes special rules for aluminum which supplement DMS regulations. It requires acceptance of authorized controlled material orders by producers and distributors of aluminum and places limitations thereon in order to provide for an equitable distribution of such orders among such producers and distributors. It also sets forth the procedure by which independent fabricators, fabricators of aluminum foil and powder, and distributors, may obtain aluminum controlled materials which they require to fill such orders.

SEC. 2. When this order becomes effective. This order is effective May 6, 1953, and applies only to purchase orders calling for the delivery of aluminum controlled materials in the third calendar quarter of 1953, or any subsequent calendar quarter, and to all actions to be taken in connection therewith. All provisions of NPA Order M-5 continue in full force and effect with respect to orders calling for the delivery of aluminum controlled materials prior to the third calendar quarter of 1953, and to all actions taken in connection therewith, except to the extent that they are modified by any other order or regulation or direction of NPA.

SEC. 3. Definitions. As used in this order: (a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or any other government.

(b) "NPA" means the National Production Authority.

(c) "Aluminum" means only the following aluminum forms and shapes:

Rolled bar, rod, wire (including drawn wire), structural shapes.
Aluminum cable steel reinforced (ACSR) and bare aluminum cable.
Insulated or covered wire or cable.
Extruded bar, rod, shapes, tubing (including drawn or welded tubing).
Sheet; strip, plate.
Pig or ingot, granular or shot.

(d) "Foil" means the product which results from the operation of a rolling mill in which aluminum sheet (foil stock) as those terms are commonly understood by custom and usage in the trade, is reduced to a thickness of less than 0.006 of an inch.

(e) "Powder" means the product which results from processing aluminum (or aluminum-base alloy) pig, ingot, or scrap in a ball mill, hammer mill, or atomizer, and includes paste.

(f) "Fig" means aluminum produced by the electrolytic reduction of alumina.

(g) "Primary producer" means a person producing aluminum both in the form of pig and in any one or more of the other forms or shapes listed in paragraph (c) of this section.

(h) "Secondary smelter" means any person who remelts pig or scrap to produce properly alloyed, refined, chemically tested, specification ingot, extrusion billet, or deoxidizing or granular aluminum, and who has the equipment and technical knowledge necessary to perform this function without downgrading or waste; and includes a primary producer to the extent that he performs such function.

(i) "Independent fabricator" means any person (except a secondary smelter) who does not produce aluminum pig, but who produces aluminum for sale in any of the other forms and shapes listed in paragraph (c) of this section.

(j) "Distributor" means any person (including a warehouseman, jobber, or dealer) engaged in the business of stocking any of the forms of aluminum listed in paragraph (c) of this section at a location regularly maintained by him for such purpose, for general sale or

resale in the form or shape in which received or after performing such operations as cutting to length, slitting, shearing to size or shape, or sorting and grading. A person who, in connection with any sale from his stock, bends, punches, or performs any fabricating or processing operation designed to prepare aluminum for final use or assembly is not a distributor with respect to such sale, and a person who, in connection with any purchase of aluminum for resale, does not take physical delivery of the material into his own stock, at a location regularly maintained by him for such purpose, shall not be deemed a distributor with respect to such sale.

(k) "Importer" means a person who imports aluminum in the forms and shapes listed in paragraph (c) of this section either for his own account or for the account of another person.

(l) "Foil or powder fabricator" means any person who produces either foil or powder, as defined in paragraphs (d) and (e) of this section, respectively. For the purposes of this paragraph, the foil-producing department or division of any company, firm, corporation, or association which produces aluminum sheet (foil stock) and the powder-producing department or division of any company, firm, corporation, or association which produces aluminum (or aluminum-base alloy) pig or ingot shall be deemed a separate person.

(m) "Production directive" means a directive issued by NPA requiring a primary producer, a secondary smelter, or an independent fabricator to produce, during a designated period, a specified quantity of any one or more of the aluminum forms and shapes listed in paragraph (c) of this section.

(n) "Authorized controlled material order" means any delivery order for any controlled material (as distinct from a product containing controlled material) which is placed pursuant to an allotment, or pursuant to self-authorization, as provided in section 20 of DMS Regulation No. 1, or which is specifically designated to be such an order by any regulation or order of NPA.

(o) "AM symbol" means the letters "AM" and in addition, the number which is assigned by NPA to certain persons for use in placing authorized controlled material orders for aluminum in accordance with the provisions of sections 10 and 12 of this order.

(p) "AF symbol" and "AP symbol" mean, respectively, the letters "AF" and "AP" for use in placing authorized controlled material orders for aluminum in accordance with the provisions of section 11 of this order.

SEC. 4. Applicability of other NPA orders and regulations. All provisions of any NPA regulation or order, including DMS regulations, are superseded to the extent that such provisions are inconsistent with this order, but in all other respects the provisions of such regulations and orders shall remain in full force and effect.

SEC. 5. Opening of order books. Each producer of aluminum shall open his order books for the purpose of accepting

authorized controlled material orders no later than 105 days prior to the first day of each calendar quarter for which such orders are valid pursuant to DMS Regulation No. 1, except that, for the calendar quarter commencing July 1, 1953, they shall be opened on the effective date of this order if not already opened. An aluminum producer may open his order books for the purpose of accepting authorized controlled material orders for any calendar quarter as long in advance of such 105-day period as he may choose, but after his order books are open he shall accept all such orders as provided in this order and in applicable DMS regulations.

Sec. 6. Acceptance of orders. Subject to the provisions of section 7 of this order, an aluminum producer shall accept every authorized controlled material order for aluminum promptly after receipt of the respective order. If he does not accept the authorized controlled material order for shipment by the requested date, he shall reject and return the authorized controlled material order tendered to him, promptly after receipt of such order. Upon either such acceptance or rejection he shall, by letter or telegram, immediately notify the person who tendered the order, of its acceptance or rejection, as the case may be. For the purpose of this section the word "promptly" shall mean as soon as possible, and the word "receipt" shall mean received at the place where the producer usually acknowledges and schedules orders.

Sec. 7. Rejection of authorized controlled material orders. Unless otherwise specifically directed by NPA, a producer of aluminum may reject an authorized controlled material order in any of the following cases:

(a) If the order is one for less than the standard minimum mill quantity established by the mill and approved by NPA for the product ordered, unless it has been combined with another order pursuant to section 20 (g) of DMS Regulation No. 1 so that the total quantity is not less than such minimum mill quantity. Approval heretofore given by NPA (pursuant to CMP Regulation No. 1, Schedule IV) to such minimum mill quantity is hereby confirmed for the purposes of DMS Regulation No. 1, Schedule IV or

(b) If the person seeking to place the order is unwilling or unable to meet such producer's regularly established prices and terms of sale or payment; or

(c) If the order calls for delivery in a particular month (commencing with the month of July 1953) and is received after the commencement of "lead time" for the month involved, as set forth in Schedule III of DMS Regulation No. 1, or

(d) If the order calls for delivery in any calendar month (commencing with the month of July 1953) of a quantity of any form or shape of aluminum which, together with the quantity of that form or shape for which he has previously accepted authorized controlled material orders for delivery during that month, would exceed the quantity of that form

or shape provided for such orders in section 9 of this order; or

(e) If the order is received from a distributor who has not purchased from such producer, during the year 1952, aluminum of the form or shape required by the order; or

(f) If the order is received from a primary producer or any operating division, subsidiary or affiliate of such primary producer, including its foil or powder fabricating department or division.

Sec. 8. Priority status of delivery orders. (a) Except as provided in paragraph (b) of this section, authorized controlled material orders for aluminum shall take precedence over all other delivery orders for aluminum. All authorized controlled material orders shall have equal preferential status except that authorized controlled material orders carried over from any previous month shall take precedence over authorized controlled material orders calling for delivery during the then current month involved. Such carry-over orders shall not be applied against the quantities to be reserved in accordance with section 9 of this order, for the month in which such carry-over orders are rescheduled but shall be in addition thereto.

(b) A delivery order for aluminum pursuant to a directive issued by NPA shall take precedence over any other delivery order (including authorized controlled material orders) previously or subsequently accepted, unless a contrary instruction appears in the directive.

Sec. 9. Reserved portion of production. (a) As soon as practicable after the effective date of this order, NPA expects to notify each primary producer, independent fabricator, and secondary smelter of the maximum aggregate quantities of aluminum, by form and shape, for the shipment of which during any calendar month, he must accept authorized controlled material orders tendered to him prior to the commencement of "lead time," unless such maximum quantities are thereafter modified by NPA order, regulation, or directive. These quantities will be determined by NPA on the basis of each primary producer's, independent fabricator's, or secondary smelter's shipments of each form and shape of aluminum during the fourth calendar quarter of 1952 against authorized controlled material orders bearing an allotment number consisting of the program identification A, B, C, D, or E, and one digit (including the program identification B-5 where used as a suffix) and the total anticipated defense requirements for aluminum of each form and shape.

(b) In the case of certain producers of aluminum where only small quantities of aluminum are involved, NPA may notify such producers that they are not required to accept authorized controlled material orders for aluminum.

(c) Any primary producer, independent fabricator, or secondary smelter of aluminum who has not received, on or before May 15, 1953, notice of the determination mentioned in paragraph (a)

or paragraph (b) of this section, may apply for such determination by letter in duplicate, addressed to NPA, Washington 25, D. C., Ref: NPA Order M-5A. Such letter shall state his anticipated monthly production of aluminum by form and shape, his anticipated source of supply, and the quantities of each form and shape of aluminum shipped by him pursuant to authorized controlled material orders bearing an allotment number consisting of the program identification A, B, C, D, or E, and one digit (including the program identification B-5 where used as a suffix) during the three calendar months next preceding the month in which such application is made, or, in the case of a producer who has not produced aluminum for such 3 months, the quantities shipped by him during that portion of such 3 months which has elapsed since he commenced production of aluminum.

Sec. 10. Production requirements of aluminum producers. (a) Such independent fabricators and other producers of aluminum as NPA may from time to time authorize, may obtain the aluminum production materials required to produce the quantities of aluminum specified pursuant to section 9 of this order by placing orders for such materials with such supplier or suppliers and within aggregate quantities as may be designated in directives issued to such supplier or suppliers by NPA. Such orders shall bear the AM symbol assigned by NPA and shall be placed in accordance with section 20 of DMS Regulation No. 1. No person shall use the AM symbol to obtain aluminum except as expressly authorized by NPA pursuant to this order, but nothing in this order shall preclude the purchase of aluminum by a producer of aluminum without the use of the AM symbol.

(b) All orders for which the use of the AM symbol is authorized are hereby designated as authorized controlled material orders and shall be certified in accordance with paragraph (c) of section 20 of DMS Regulation No. 1.

Sec. 11. Production materials for foil or powder fabricators. (a) A foil fabricator who receives a rated order for foil may use the AF symbol in obtaining aluminum sheet (foil stock) and aluminum cores needed to produce and package the foil covered by such rated order or to replace in inventory the quantities of such materials used to fill such rated orders: *Provided, however* That, with respect to inventory replacement of such materials, he may use the AF symbol to place orders for such replacement materials only in the calendar quarter in which taken from inventory or in the immediately succeeding calendar quarter. In placing orders under this section, no foil fabricator may order a quantity of aluminum sheet (foil stock) in excess of the weight of foil shipped or to be shipped against rated orders.

(b) A powder fabricator who receives a rated order for powder may use the AP symbol in obtaining the aluminum pig or ingot needed to fill such rated order or to replace in inventory the quantities of such material used in the manufacture of the powder covered by such

rated order: *Provided, however* That, with respect to inventory replacement of such materials, he may use the AP symbol to place orders for such material only in the calendar quarter in which taken from inventory or in the immediately succeeding calendar quarter. In placing orders under this section, no powder fabricator may order a quantity of aluminum pig or ingot in excess of the aluminum content by weight of the powder shipped or to be shipped against rated orders.

(c) All delivery orders for which the use of the AF symbol or the AP symbol is authorized under paragraph (a) or (b) of this section shall be placed in accordance with section 20 of DMS Regulation No. 1. All such orders are hereby designated as authorized controlled material orders and shall be certified in accordance with paragraph (c) of section 20 of DMS Regulation No. 1.

SEC. 12. Rules applicable to aluminum distributors. (a) Subject to the limitations set forth in this order and in applicable DMS regulations, every distributor shall accept all authorized controlled material orders.

(b) Commencing July 1, 1953, and during each calendar month thereafter, any distributor who has delivered aluminum from his inventory to fill authorized controlled material orders may, in obtaining aluminum to replace in inventory the aluminum delivered pursuant to such orders, affix the AM symbol "AM-9000" to delivery orders for such aluminum. Such delivery orders are hereby designated as authorized controlled material orders and shall be placed and certified by the distributor as provided in section 20 of DMS Regulation No. 1. *Provided, however* That authorized controlled material orders placed by a distributor pursuant to this section shall call only for delivery of an equal weight of the form or shape of aluminum which he has delivered pursuant to authorized controlled material orders, and that any such order placed by him with any supplier shall call for delivery only during the calendar quarter in which the materials were taken from the inventory of the distributor or in the immediately succeeding calendar quarter.

(c) No distributor shall be required to accept any authorized controlled material order calling for delivery in any calendar month of a quantity of any form or shape of aluminum which, together with the quantity of that form or shape of aluminum for which he has previously accepted authorized controlled material orders calling for delivery during such month, would exceed 130 percent of the average monthly quantity of such form or shape delivered by him during the fourth calendar quarter of 1952 pursuant to authorized controlled material orders bearing an allotment number consisting of the program identification A, B, C, D, or E, and one digit (including the program identification B-5 where used as a suffix)

(d) No distributor shall be required to accept any authorized controlled material

order calling for delivery to any one person at any one destination for any calendar month, regardless of gages, alloys, sizes, or shapes, of more than 1,000 pounds of aluminum sheet or plate, more than 300 pounds of aluminum wire, rod, or bar, or more than 300 pounds of aluminum tubing, extrusions, or structural shapes.

(e) No distributor of aluminum shall be required to accept an authorized controlled material order tendered to him by another distributor of aluminum.

(f) No distributor whose average monthly shipments of all forms and shapes of aluminum during the fourth calendar quarter of 1952 pursuant to authorized controlled material orders bearing allotment numbers consisting of the program identification A, B, C, D, or E, and one digit (including the program identification B-5 where used as a suffix) did not exceed 25,000 pounds in the aggregate, shall be required to accept any authorized controlled material order. No such distributor shall place any authorized controlled material order to obtain replacement of aluminum delivered by him pursuant to authorized controlled material orders.

SEC. 13. Directives. NPA may issue directives from time to time with respect to the production and delivery of aluminum.

SEC. 14. Request for adjustment or exception. Any person subject to any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. The filing of a request for adjustment or exception shall not relieve any person of his obligation to comply with any such provision. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 15. Records and reports. (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies in-

stead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Each primary producer, secondary smelter, independent fabricator, foil fabricator, powder fabricator, distributor, or importer who sells aluminum in the regular course of business regardless of whether he sells against authorized controlled material orders, shall each month complete and file Form NPAF-122 in accordance with the instructions accompanying the form. The form shall be completed and filed in duplicate on or before the tenth day of each month (commencing July 10, 1953) by mailing to the Bureau of Census, Industry Division, Washington 25, D. C., Ref: NPA Order M-5A.

(d) Persons subject to this order shall make such records and submit such other reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 16. Communications. All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-5A.

SEC. 17. False statements. The furnishing of false information or the concealment of any material fact by any person in the course of operation under this order constitutes a violation of this order by such person.

SEC. 18. Violations. Violation of any provision of this order may subject any person committing or participating in such violation to administrative action to suspend his privilege of making or receiving further deliveries of materials, or using materials or facilities, under priority or allocation control and to deprive him of further priority and allocation assistance. In addition to such administrative action, an injunction and order may be obtained prohibiting any such violation and enforcing compliance with the provisions hereof. Any person who wilfully violates any provision of this order, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect May 6, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-4993; Filed, May 6, 1953;
11:25 a. m.]

[NPA Order M-5A, Direction 1 of May 6, 1953]

M-5A—ALUMINUM

DIR. 1—LIMITATION ON REQUIRED DELIVERY OF ALUMINUM BY PRODUCERS DURING 3D QUARTER OF 1953

This direction under NPA Order M-5A is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action.

Sec.

1. What this direction does.
2. Limitation on required deliveries.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp., secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. What this direction does. This direction establishes for the months of July, August, and September, 1953, limitations on the monthly quantities of aluminum which aluminum producers are required to deliver pursuant to certain authorized controlled material orders.

SEC. 2. Limitation on required deliveries. Unless otherwise directed by NPA, no producer of aluminum shall be required, during each of the months of July, August, and September, 1953, to deliver against authorized controlled material orders bearing an allotment number consisting of the program identification A, B, C, D, or E, and one digit, a quantity of any form or shape of aluminum which exceeds (a) the quantity of that form or shape specified pursuant to paragraph (a) of section 9 of NPA Order M-5A with respect to such orders, plus (b) one-third of the quantity of that form or shape required to fill all authorized controlled material orders bearing an allotment number consisting of the program identification A, B, C, D, or E, and one digit, accepted by him, and which on July 1, 1953, were unfilled and carried over from the month of June 1953 or any preceding month. Nothing contained in this direction shall affect the order of precedence among authorized controlled material orders provided in section 8 of NPA Order M-5A.

This direction shall take effect May 6, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-4099; Filed, May 6, 1953; 11:25 a. m.]

[NPA Order M-11A]

M-11A—COPPER AND COPPER-BASE ALLOYS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries.

Sec.

1. What this order does.
2. When this order becomes effective.
3. Definitions.
4. Applicability of other NPA orders and regulations.
5. Opening of order books.
6. Acceptance of orders.
7. Rejection of authorized controlled material orders.
8. Priority status of delivery orders.
9. Reserved portion of production.
10. Certified orders for intermediate shapes.
11. Rules applicable to distributors.
12. Directives.
13. Request for adjustment or exception.
14. Records and reports.
15. Communications.
16. False statements.
17. Violations.

AUTHORITY: Sections 1 to 17 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp., secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. What this order does. This order supplements DMS regulations and applies particularly to producers and sellers of intermediate shapes and to producers and distributors of brass mill products, copper wire mill products, copper powder mill products, and copper foundry products. It requires acceptance of authorized controlled material orders, and places limitations thereon, in order to provide for an equitable distribution of such orders among all brass mills, copper wire mills, copper foundries, and copper powder mills. It also provides limitations on the required acceptance of authorized controlled material orders by distributors. It provides a method whereby copper controlled material producers, requiring intermediate shapes to fill certain orders may obtain those shapes from their customary suppliers.

SEC. 2. When this order becomes effective. This order is effective May 6, 1953, and applies only to purchase orders calling for the delivery of copper controlled materials and intermediate shapes in the third calendar quarter of 1953, or any subsequent calendar quarter, and to all actions to be taken in connection therewith. All provisions of NPA Order M-11 continue in full force and effect with respect to orders calling for delivery of copper controlled materials prior to the third calendar quarter of 1953, and to all actions taken in connection therewith, except to the extent that they are

modified by any other order or regulation of NPA.

SEC. 3. Definitions. As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or other organized group of persons, and includes any agency of the United States Government or any other government.

(b) "NPA" means the National Production Authority.

(c) "Copper controlled materials" means brass mill products, copper wire mill products, copper powder mill products, or copper foundry products, as defined in this order.

(d) "Copper controlled material producer" means any person who produces a copper controlled material.

(e) "Intermediate shape producer" means any person who produces an intermediate shape.

(f) "Authorized controlled material order" means any delivery order for any controlled material (as distinct from a product containing controlled material) which is placed pursuant to an allotment, or pursuant to self-authorization, as provided in section 20 of DMS Regulation No. 1, or which is specifically designated to be such an order by any regulation or order of NPA.

(g) "Intermediate shape" means any product which has been rolled, drawn, or extruded from refined copper or brass mill castings, and which will be rerolled, redrawn, insulated, or further processed into finished brass mill or copper wire mill products by other producers of intermediate shapes or copper controlled materials. (This definition includes intermediate shapes produced from other intermediate shapes.)

(h) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal equals or exceeds 40 percent by weight of the metallic content of the alloy. It does not include alloyed gold produced in accordance with U. S. Commercial Standard CS67-38.

(i) "Brass mill products" means copper and copper-base alloys in the following forms: sheet, plate, and strip in flat lengths or coils; rod, bar, shapes, and wire (except copper wire mill products) anodes, rolled, forged, or sheared from cathodes; and seamless tube and pipe. Straightening, threading, chamfering, and cutting to width or length, and reduction in gage, do not constitute changes in form of brass mill products except as determined by NPA. The following related products which have been produced by a change in form of brass mill products are not included in the definition of brass mill products:

Circles.
Discs (except brass military ammunition discs).
Cups (except brass military ammunition cups).
Blanks and segments.
Forgings (except anodes).
Welding rod, 8 feet or less in length.
Rotating bands.
Tube and nipples—welded, brazed, or mechanically seamed.
Formed flashings.
Engravers' copper.

Allotments for the purpose of producing such related products shall be in terms of the estimated weight of the brass mill product from which such related product is made.

(j) "Copper wire mill products" means uninsulated or insulated wire and cable, whatever the outer protective coverings may be, made from copper or copper-base alloy, and also copper-clad steel wire containing over 20 percent copper by weight regardless of end use. All copper wire mill products should be measured in terms of pounds of copper content.

(k) "Copper powder mill products" means copper or copper-base alloy in the form of granular or flake powder.

(l) "Copper foundry products" means cast copper and copper-base alloy shapes or forms suitable for ultimate use without remelting, rolling, drawing, extruding, or forging. (The process of casting includes the removal of gates, risers, and sprues, and sandblasting, tumbling, and dipping, but does not include any further machining or processing. For centrifugal casting the process includes the removal of the rough cut in the inner or outer diameter, or both, before delivery to a customer. Castings include anodes cast in a foundry or by an ingot maker.)

(m) "Distributor" means any person (including a warehouseman or jobber, but not a retailer) engaged in the business of stocking copper controlled materials received from a controlled material producer or another distributor at a location regularly maintained by him for such purpose for sale or resale in the form or shape as received, who in connection therewith maintains facilities and equipment necessary to conduct such business. For the purposes of this definition, the operations of straightening, threading, chamfering, cutting to width and length, and edging do not constitute changes in form or shape.

(n) "Average shipment" means the average monthly quantity (by weight) of each copper controlled material shipped by a producer or distributor during the first 6 months of 1952. (Wire mill products shall be calculated on the basis of copper content.)

SEC. 4. Applicability of other NPA orders and regulations. All provisions of any NPA regulation or order, including DMS regulations, are superseded to the extent that such provisions are inconsistent with this order, but in all other respects the provisions of such regulations and orders shall remain in full force and effect.

SEC. 5. Opening of order books. Each copper controlled material producer shall open his order books for the purpose of accepting authorized controlled material orders no later than 90 days prior to the first day of each calendar quarter for which such orders are valid pursuant to DMS Regulation No. 1, except that for the calendar quarter commencing July 1, 1953, they shall be opened on the effective date of this order if not already opened. A copper controlled material producer may open his order books for the purpose of accepting authorized controlled material orders for any calendar quarter as long in advance

of such 90-day period as he may choose, but after his order books are open, he shall accept such orders as provided in section 6 of this order and applicable DMS regulations.

SEC. 6. Acceptance of orders. Subject to the provisions of section 7 of this order, a copper controlled materials producer shall accept and schedule authorized controlled material orders for shipment within the requested month or as close to the required shipment date as is practicable considering the need for maximum production. If he does not accept the authorized controlled material order for shipment in the requested month or a subsequent month in the same calendar quarter, he shall reject and return the authorized controlled material order tendered to him promptly after receipt of such order.

SEC. 7. Rejection of authorized controlled material orders. Unless otherwise specifically directed by NPA, a copper controlled materials producer may reject an authorized controlled material order in any of the following cases:

(a) If the order is one for less than the minimum mill quantity specified in Schedule IV of DMS Regulation No. 1 and has not been combined with another order pursuant to section 20 (g) of that regulation.

(b) If the person seeking to place the order is unwilling or unable to meet such producer's regularly established prices and terms of sale or payment.

(c) If the order for a product calls for delivery in a particular month and is received after the commencement of lead time for that product, for the month involved, as set forth in Schedule III of DMS Regulation No. 1.

(d) If the order is received from another copper controlled materials producer who produces in his own plant the type of product ordered.

(e) If the order is received from a distributor who has not purchased the general type of copper controlled material ordered from such producer during the calendar year 1952.

(f) If the order calls for delivery of a quantity of any product set forth in section 9 (b) of this order which, together with the quantity of that product for which he has previously accepted authorized controlled material orders for delivery during the same month, would exceed the quantity of that product specified in section 9 (b).

SEC. 8. Priority status of delivery orders. (a) Except as provided in paragraph (b) of this section, authorized controlled material orders for copper controlled materials shall take precedence over all other delivery orders for copper controlled materials. All authorized controlled material orders shall have equal preferential status except that authorized controlled material orders bearing the allotment number consisting of the program identification A, B, C, D, or E, and one digit, carried over from any previous month shall take precedence over authorized controlled material orders calling for delivery during the then current month involved. Such carry-over orders shall not be ap-

plied against the capacity to be reserved in accordance with section 9 (b) of this order for the month in which such carry-over orders are rescheduled but shall be in addition thereto.

(b) A delivery order for copper pursuant to a directive issued by NPA shall take precedence over any other delivery order (including authorized controlled material orders) previously or subsequently received unless a contrary instruction appears in the directive.

SEC. 9. Reserved portion of production. (a) From the date of the opening of his books for the acceptance of orders for shipment in any month for each product produced by him, each producer of copper controlled materials shall reserve the amount of production capacity set forth in paragraph (b) of this section, for the acceptance of authorized controlled material orders until such reserved capacity is filled, or until the commencement of lead time for the particular product involved (as set forth in Schedule III of DMS Regulation No. 1) whichever occurs first.

(b) The production capacity to be reserved by a copper controlled materials producer for the production of each copper controlled material product to be delivered pursuant to authorized controlled material orders for any such product for a particular month, shall be that capacity required to produce a quantity by weight of such product, computed by multiplying the average shipment of such product by the percentage set opposite such product in the following list:

Brass mill products:	
Unalloyed:	Percentage
Plate, sheet, strip, and rolls.....	20
Rod, bar, shapes, and wire.....	20
Seamless tube and pipe.....	15
Alloyed:	
Plate, sheet, strip, and rolls.....	30
Rod, bar, shapes, and wire.....	40
Seamless tube and pipe.....	55
Military ammunition cups and discs.....	(1)
Copper wire mill products:	
Copper wire and cable:	
Bare and tinned.....	26
Weatherproof.....	26
Magnet wire.....	26
Insulated building wire.....	26
Paper and lead power cable.....	26
Paper and lead telephone cable.....	26
Asbestos cable.....	26
Portable and flexible cord and cable.....	26
Communications wire and cable.....	26
Shipboard cable.....	26
Automotive and aircraft wire and cable.....	26
Insulated power cable.....	26
Signal and control cable.....	26
Coaxial cable.....	26
Copper-clad steel wire containing over 20 percent copper by weight regardless of end use.....	26
Copper foundry products and unalloyed copper powder mill products.....	30
Copper-base alloy powder mill products.....	(1)

¹ Reserve space will be provided by means of production directives.

SEC. 10. Certified orders for intermediate shapes. (a) Any copper controlled materials producer requiring intermediate shapes in his production of controlled materials to fill authorized controlled material orders may certify delivery or-

ders for such shapes, and any intermediate shape producer requiring other forms of intermediate shapes in his production, for which production he has accepted certified orders, may certify delivery orders for intermediate shapes. Orders may be certified by endorsing thereon a certification as follows, which shall be signed as provided in NPA Reg. 2:

Certified under NPA Order M-11A

This certification constitutes a representation to the supplier of the intermediate shapes and to NPA that the intermediate shapes ordered are required by the purchaser to be used in his production to fill authorized controlled material orders, or certified orders for intermediate shapes.

(b) Each producer of intermediate shapes shall accept all certified orders for intermediate shapes offered to him and shall make delivery pursuant to such orders in preference to any other delivery order for intermediate shapes received by him: *Provided, however* That a producer of intermediate shapes shall not be required to accept a certified order from any person who did not purchase from him during the calendar year 1952 the general types of intermediate shapes so ordered.

SEC. 11. *Rules applicable to distributors.* (a) Subject to the limitations set forth in this order and in applicable DMS regulations, every distributor shall accept all authorized controlled material orders.

(b) Commencing July 1, 1953, and during each calendar month thereafter, any copper controlled materials distributor who has delivered copper controlled materials from his inventory to fill authorized controlled material orders may, in obtaining products to replace in inventory the copper controlled materials delivered pursuant to such orders, affix the allotment number D-8 to the delivery order he places with his supplier of such products. Such delivery orders are hereby designated as authorized controlled material orders and shall be certified by the copper controlled materials distributor as provided in section 20 of DMS Regulation No. 1. *Provided, however* That authorized controlled material orders placed by copper controlled materials distributors pursuant to this section shall call only for delivery of an equal weight (copper wire mill products shall be computed on the basis of copper content) of copper controlled materials which he has delivered pursuant to authorized controlled material orders, and that the orders placed with his suppliers shall call for delivery only during the calendar quarter in which the materials were taken from inventory of the distributor, or in the immediately succeeding calendar quarter.

(c) No copper controlled materials distributor shall be required to make delivery from inventory of copper controlled materials on authorized controlled material orders in any calendar month of a total combined weight of such materials in excess of 25 percent of his average shipments of copper controlled materials sold by him; and no copper controlled materials distributor

shall be required to accept an authorized controlled material order for more than 500 pounds of any item of brass mill products or 50 percent of his inventory of such item, whichever is less, or 500 pounds copper content, of any item of wire mill products smaller than size 4/0 or any item of wire mill products 4/0 and larger in excess of standard mill single-reel lengths.

(d) No copper controlled materials distributor shall be required to make delivery on an authorized controlled material order bearing the allotment number D-8 placed with him by another distributor of copper controlled materials unless the distributor placing such an order has purchased the types of materials so ordered from him during the calendar year 1952.

SEC. 12. *Directives.* NPA may issue directives from time to time with respect to the production and delivery of copper controlled materials and intermediate shapes.

SEC. 13. *Request for adjustment or exception.* Any person subject to any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. The filing of a request for adjustment or exception shall not relieve any person of his obligation to comply with any such provision. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 14. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Au-

thority, at the usual place of business where maintained.

(c) Any person who produces copper controlled materials shall complete and return Form NPAF-84 to the Bureau of Census, Department of Commerce, Washington 25, D. C., Ref: NPA Order M-11A, in accordance with the instructions applicable to that form.

(d) Persons subject to this order shall make such records and submit such other reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F)

SEC. 15. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-11A.

SEC. 16. *False statements.* The furnishing of false information or the concealment of any material fact by any person in the course of operation under this order constitutes a violation of this order by such person.

SEC. 17. *Violations.* Violation of any provision of this order may subject any person committing or participating in such violation to administrative action to suspend his privilege of making or receiving further deliveries of materials, or using materials or facilities, under priority or allocation control and to deprive him of further priority and allocation assistance. In addition to such administrative action, an injunction and order may be obtained prohibiting any such violation and enforcing compliance with the provisions hereof. Any person who wilfully violates any provision of this order, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect May 6, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-4100; Filed, May 6, 1953;
11:26 a. m.]

[NPA Order M-43, Revocation]

M-43—CONSTRUCTION MACHINERY:
DISTRIBUTION

REVOCATION

NPA Order M-43 (17 F. R. 9979) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-43, as originally issued or as thereafter amended from time to time, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective July 1, 1953.

NATIONAL PRODUCTION
AUTHORITY,

By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-4101; Filed, May 6, 1953;
11:26 a. m.]

[NPA Order M-43A]

M-43A—CONSTRUCTION MACHINERY:
DISTRIBUTION

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.

1. What this order does.
2. Definitions.
3. Required delivery dates.
4. Rejection of rated orders.
5. Limitation for acceptance of rated orders.
6. Effect of this order on NPA Reg. 2.
7. NPA assistance in placing rated orders.
8. Request for adjustment or exception.
9. Records and reports.
10. Communications.
11. False statements.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp., secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. What this order does. This order applies particularly to producers of construction machinery and equipment as hereinafter defined, and provides rules for placing, accepting, and scheduling rated orders for such machinery and equipment. The purpose of this order is to minimize or eliminate any disruption of normal distribution which might otherwise occur. This order affects NPA Reg. 2 in various respects as hereinafter set out. This order applies only to orders calling for delivery of construction machinery in the third calendar quarter of 1953 or any succeeding quarter, and all actions to be taken in connection therewith. The provisions of NPA Order M-43 will continue to be applicable to orders calling for delivery of construction machinery prior to the third calendar quarter of 1953 and to all actions taken in connection therewith.

Sec. 2. Definitions. As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or any other government.

(b) "Construction machinery" means any type of construction machinery and

equipment as listed and described in List A of this order, and includes parts of such machinery or equipment.

(c) "Producer" means a person engaged in the business of manufacturing construction machinery for sale.

(d) "NPA" means the National Production Authority.

SEC. 3. Required delivery dates. A rated order for construction machinery must specify delivery on a particular date or during a particular month, which in no case may be earlier than required by the person placing the order. The producer shall schedule the order for delivery within the requested month as close to the requested delivery date as is practicable considering the need for maximum production.

SEC. 4. Rejection of rated orders. A producer need not accept a rated order which he receives less than 45 days prior to the first day of the month in which delivery is requested unless specifically directed to accept the order by NPA.

SEC. 5. Limitation for acceptance of rated orders. Unless specifically directed by NPA, no producer shall be required to accept rated orders for delivery in July 1953 or any succeeding month for any one model of any type of construction machinery including parts, in excess of (a) 35 percent of his production schedule of that model for that month or (b) 35 percent of his average monthly shipments of that model during the 6-month period from January 1, 1950, through June 30, 1950, whichever is greater.

SEC. 6. Effect of this order on NPA Reg. 2. To the extent that the provisions of this order, and particularly the provisions of sections 4 and 5 hereof, are in conflict with the provisions of NPA Reg. 2, the provisions of this order shall prevail. Otherwise, the provisions of NPA Reg. 2, including the directions thereto, shall continue to apply to the construction machinery industry.

SEC. 7. NPA assistance in placing rated orders. Any person, who is unable to place a rated order for construction machinery due to the limitations imposed by section 5 of this order should apply to NPA, Ref. NPA Order M-43A, specifying the producers who refused to accept the order. NPA will arrange to assist him in locating sources of supply.

SEC. 8. Request for adjustment or exception. Any person subject to any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. The filing of a request for adjustment or exception shall not relieve any person of his obligation to comply with any such provision. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements

of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 9. Records and reports. (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 10. Communications. All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-43A.

SEC. 11. False statements. The furnishing of false information or the concealment of any material fact by any person in the course of operation under this order constitutes a violation of this order by such person.

SEC. 12. Violations. Violation of any provision of this order may subject any person committing or participating in such violation to administrative action to suspend his privilege of making or receiving further deliveries of materials, or using materials or facilities, under priority or allocation control and to deprive him of further priority and allocation assistance. In addition to such administrative action an injunction and order may be obtained prohibiting any such violation and enforcing compliance with the provisions hereof. Any person who willfully violates any provision of this order, or who willfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect May 6, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

LIST A OF NPA ORDER M-43A

Bits, air-drill, removable.
Bituminous equipment:
Asphalt plants.
Distributors.
Heaters.
Kettles.
Mixers.
Pavers.
Spreaders, aggregate.
Blades (cutting edges) grader, dozer, scraper, snow plow.
Buckets, concrete equipment.
Buckets and dippers for cranes, shovels, or draglines.
Catch basin cleaners.
Chutes, concrete equipment.
Concrete equipment:
Batchers and batch-plants.
Bins.
Curb and gutter machines.
Cutting machines, except masonry.
Dryers, aggregate.
Finishers.
Forms, metal, reusable.
Graders, sub and fine.
Heaters.
Jacks, slab-raising.
Mixers, including mortar.
Pavers.
Spreaders.
Towers.
Vibrators.
Cranes, shovels, and draglines:
Cranes, construction.
Cranes, locomotive and rail-truck mounted.
Cranes, railway, wrecking.
Crane, shovel, and dragline attachments.
Draglines, construction.
Draglines, walking.
Pile drivers and hammers.
Shovels, power.
Crushing, screening, and washing equipment (portable)
All types, except food.
Derricks, except oil and gas well.
Discs, wheel-mounted or harrow, construction.
Dredging machinery, except dredge pipe.
Drilling equipment:
Augers, earth, power-driven.
Pipe pushers, power-driven.
Tools, air, contractors.
Flushers, street.
Graders:
Elevating.
Pull-type.
Self-propelled.
Maintainers.
Grader-mounted equipment.
Grapples, crane.
Haulage, units, off-highway.
Rear-dump trucks.
Wheel tractors 70 hp. and over.
Hoists, contractors.
Hoppers, concrete equipment.
Loaders:
Bucket, elevating.
Elevating, shoulder-type.
Tractor-mounted.
Placers, concrete equipment.
Rock drills, air, including drifters and stoppers.
Rollers and compactors, all types.
Rippers, rooters, and scarifiers, drawn.
Scrapers, self-propelled and pull.
Snow plows, all types.
Sweepers and leaf collectors, self-propelled and drawn.
Teeth: bucket, ripper, and scarifier.
Tractors, crawler.

Tractor-mounted equipment:
Dozers, power-control units, cranes, shovels, side-booms, back-hoes, loaders, scarifiers, winches, and draglines.
Traffic line marking equipment.
Trailers, construction, off-highway:
Bottom, rear, and side dump, crawler or wheel-type.
Logging arches.
Trenchers, all types.
Well points, construction.
Wheels, crawler.

[F. R. Doc. 53-4102; Filed, May 6, 1953; 11:26 a. m.]

[CMP Regulation No. 1, Direction 4—
Revocation]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 4—ACQUISITION AND USE OF FOREIGN AND USED STEEL WITHOUT ALLOTMENT

REVOCATION

Direction 4 to CMP Regulation No. 1 (17 F. R. 7784) is hereby revoked. This revocation does not relieve any person of any obligation or liability incurred under Direction 4 to CMP Regulation No. 1 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said direction prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective May 6, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-4103; Filed, May 6, 1953; 11:26 a. m.]

[CMP Regulation No. 1, Direction 22 of
May 6, 1953]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 22—EX-ALLOTMENT ACQUISITION AND USE OF FOREIGN AND USED CONTROLLED MATERIALS

This direction under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.

1. What this direction does.
2. Definitions.
3. Applicability of other regulations and orders.
4. Acquisition and use of foreign and used controlled materials.
5. Acceptance of orders by suppliers.
6. Importation of Class A products.
7. Application to certain rated orders.

AUTHORITY: Sections 1 to 7 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2154. Interpret or apply

sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10201, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. *What this direction does.* This direction permits the acquisition and use of foreign and used controlled materials without charging allotment authority. It also permits the acquisition of imported Class A products without charging the controlled material content of such products against allotment authority. This direction supersedes Direction 4 (Acquisition and Use of Foreign and Used Steel Without Allotment) to CMP Regulation No. 1, and said Direction 4 is revoked concurrently with the issuance of this direction.

SEC. 2. *Definitions.* As used in this direction:

(a) "Foreign controlled material" means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, produced in foreign countries other than Canada, which can be positively identified as of such foreign origin through physical characteristics or markings or through adequate documentation.

(b) "Used controlled material" means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, which has been utilized in production or construction, including but not limited to offal and material salvaged from scrap.

SEC. 3. *Applicability of other regulations and orders.* The provisions of all CMP regulations and of all other NPA regulations and orders, including the directions and amendments thereto, as heretofore issued, are superseded to the extent to which they are inconsistent with the provisions of this direction. In all other respects, the provisions of all NPA regulations and orders heretofore issued shall remain in full force and effect.

SEC. 4. *Acquisition and use of foreign and used controlled materials.* Except as provided in section 7 of this direction, any person may acquire foreign controlled material and used controlled material without placing an authorized controlled material order therefor. He may use such controlled material for any purpose not prohibited by any regulation or order of NPA, and need not charge such controlled material against any allotment or authority to place orders for controlled materials (including automatic allotment, self-authorization, and quota)

SEC. 5. *Acceptance of orders by suppliers.* A person who wishes to sell or otherwise transfer title to foreign controlled material or used controlled material may accept and make delivery on orders for such controlled material, placed pursuant to the provisions of this direction, without requesting authorization from NPA or a Claimant Agency.

SEC. 6. *Importation of Class A products.* Except as provided in section 7 of this direction, any person who acquires any Class A product which can

be positively identified through physical characteristics or markings or through adequate documentation as having been produced in a foreign country other than Canada, need not charge the controlled material content of such Class A product against any allotment (including automatic allotment, self-authorization, and quota)

SEC. 7. Application to certain rated orders. Notwithstanding the provisions of this direction, any person who acquires any controlled material, including foreign controlled material or used controlled material, for use in filling a rated order bearing a program identification consisting of the letter A, B, C, or E, and one digit (including the program identification B-5 where it appears as a suffix) must charge such controlled material against the related allotment or authority to place orders for controlled materials (including automatic allotment, self-authorization, and quota). Notwithstanding the provisions of this direction, any person who acquires any Class A product, including a Class A product produced in a foreign country, for use in filling a rated order bearing a program identification consisting of the letter A, B, C, or E, and one digit (including the program identification B-5 where it appears as a suffix) must charge the controlled material content of such Class A product against the related allotment or authority to place orders for controlled materials (including automatic allotment, self-authorization, and quota)

This direction shall take effect May 6, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-4104; Filed, May 6, 1953;
11:26 a. m.]

[Revised CMP Regulation No. 6, Direction
12 of May 6, 1953]

CMP REG. 6—CONSTRUCTION

DIR. 12—EX-ALLOTMENT ACQUISITION AND USE OF FOREIGN AND USED CONTROLLED MATERIALS

This direction under Revised CMP Regulation No. 6 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.

1. What this direction does.
2. Applicability of other regulations and orders.
3. Commencement or continuance of construction.
4. Application to certain authorized construction schedules.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d

Cong.; 50 U. S. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 783, Pub. Law 423, 82d Cong.; 50 U. S. C. App. Sup. 2371; sec. 101, E. O. 10161, Sept. 9, 1950, 16 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp., sec. 402, 405, E. O. 10281, Aug. 23, 1951, 16 F. R. 8769; 3 CFR, 1951 Supp.

SECTION 1. What this direction does. This direction permits certain persons, for purposes of construction and without charging allotment authority, to acquire and use foreign controlled materials, used controlled materials, and imported Class A products.

SEC. 2. Applicability of other regulations and orders. (a) All of the provisions of Direction 22 to CMP Regulation No. 1, issued May 6, 1953, are hereby incorporated in this direction with the same force and effect as if they were here set forth in full, and are made applicable to this direction and to Revised CMP Regulation No. 6.

(b) The provisions of Revised CMP Regulation No. 6, and particularly of Article VI thereof, and the provisions of any other NPA regulations or orders and of the directions and amendments thereto, heretofore issued, including particularly NPA Orders M-46, M-46A, M-46B, M-50, and M-77, and sections 1 (b) and 3 (b) of Direction 8 to Revised CMP Regulation No. 6, are superseded to the extent that they are inconsistent with the provisions of this direction or of Direction 22 to CMP Regulation No. 1, issued May 6, 1953. In all other respects, the provisions of all NPA regulations and orders and of the directions and amendments thereto, heretofore issued, shall remain in full force and effect.

SEC. 3. Commencement or continuance of construction. If, through orders placed pursuant to the provisions of this direction or of Direction 22 to CMP Regulation No. 1, issued May 6, 1953, any person acquires, for his use in a construction project, foreign controlled material, used controlled material, or a Class A product which can be positively identified through physical characteristics or markings or through adequate documentation as having been produced in a foreign country other than Canada, he may commence or continue construction of his construction project without an authorized construction schedule.

SEC. 4. Application to certain authorized construction schedules. Notwithstanding the provisions of this direction and of Direction 22 to CMP Regulation No. 1, any person who acquires any controlled material, including foreign controlled material and used controlled material, or any Class A product, including a Class A product produced in a foreign country, for use in fulfilling an authorized construction or production schedule bearing a program identification consisting of the letter A, B, C, or E, and one digit, must charge such controlled material, including the controlled material content of such Class A product, against the related allotment or authority to place orders for controlled materials.

This direction shall take effect May 6, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-4105; Filed, May 6, 1953;
11:26 a. m.]

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order No. 6 (INS-1, 2d Revision)]

INS-1—MARINE PROTECTION AND INDEMNITY INSURANCE INSTRUCTIONS UNDER GENERAL AGENCY AND BERTH AGENCY AGREEMENTS

Effective as of March 31, 1953, midnight, e. s. t., NSA Order No. 6 (INS-1, Revised), published in the FEDERAL REGISTER issue of May 2, 1952 (17 F. R. 3383) including amendment 1 thereto, published in the FEDERAL REGISTER issue of January 8, 1953 (18 F. R. 157) is hereby superseded and revised to read as follows:

Sec.

1. What this order does.
2. Insurer.
3. Assured.
4. Vessels insured and terms of insurance.
5. Assumption of risk by owner and attachment and cancellation dates of commercial insurance.
6. Issuance of policies or certificates by underwriter.
7. Insurance premium.
8. Reports of accidents and occurrences.
9. Settlement of claims.
10. Litigation and employment of counsel.
11. Report of claims.
12. Application and interpretation of this order.

AUTHORITY: Sections 1 to 12, issued under sec. 204, 49 Stat. 1937, as amended; 46 U. S. C. 1114.

SECTION 1. What this order does. Effective as of March 31, 1953, midnight, e. s. t., this order prescribes instructions with respect to the placing of commercial marine protection and indemnity (referred to in this order as "P & I") insurance and the handling of claims of a P & I insurance nature, required to be followed by General Agents and Berth Agents under General Agency Agreements and Berth Agency Agreements, respectively, with the United States of America, acting by and through the Director, National Shipping Authority, Maritime Administration, Department of Commerce (referred to in this order as the "Owner")

SEC. 2. Insurer. The National Automobile and Casualty Insurance Company, Los Angeles, California (referred to in this order as the "Underwriter") acting by and through Maritime Agencies, Inc., San Francisco, California (referred to in this order as the "Underwriting Agent") entered into an insuring agreement with the Owner covering the period from March 31, 1953, midnight, e. s. t., to March 31, 1954, midnight, e. s. t.

SEC. 3. *Assured.* The assureds are—(a) the United States of America, acting by and through the Director, National Shipping Authority, Maritime Administration, Department of Commerce, and (b) its General Agents and Berth Agents, and Sub-Agents acting on behalf of either.

SEC. 4. *Vessels insured and terms of insurance*—(a) *General Agency vessels in employment of Military Sea Transportation Service.* The Underwriter has agreed to provide P & I insurance with respect to General Agency vessels operated in the employment of the Military Sea Transportation Service (referred to in this order as "MSTS") for a period of one year from midnight, e. s. t., March 31, 1953, at an annual rate of \$1.50 per gross registered ton on a daily pro rata basis, attaching as provided in section 5 (a) (b) and (c) of this order and terminating March 31, 1954, midnight, e. s. t. As to any such vessel, there will be no liability under the policy for any loss, damage or expense in respect to cargo, or cargo's proportion of general average or special charges, or in any way relating to cargo which is to be carried, is being carried, or has been carried, on board such vessel. The limit of liability will be \$250,000 each accident or occurrence per vessel, with deductible averages of \$500 on personal injury, illness, or death claims for each accident or occurrence and \$250 on claims of other types for each accident or occurrence.

SEC. 5. *Assumption of risk by Owner and attachment and cancellation dates of commercial insurance*—(a) *Vessel allocated under General Agency Agreement 3-19-51.* On a vessel allocated and delivered to a General Agent at fleet site directly under General Agency Agreement 3-19-51, the Owner will assume all risks of a P & I insurance nature until departure from last repair yard prior to commencement of operation as per log book entry. As of that time, P & I risks shall be insured on full commercial basis with the Underwriter. The General Agent shall make application, either directly or through brokers, to the Underwriter for P & I insurance to attach as of the date and hour of departure from such repair yard as per log book entry.

(b) *Vessel delivered from bareboat charter and allocated under General Agency Agreement 3-19-51.* On a vessel redelivered from bareboat charter and delivered to a General Agent under General Agency Agreement 3-19-51, the General Agent shall attach P & I insurance as of the date and hour he takes delivery under General Agency Agreement 3-19-51.

(c) *Vessel transferred from one General Agent to another General Agent.* As to a vessel withdrawn from one General Agent and allocated to another General Agent under General Agency Agreement 3-19-51, the Owner will give special instructions to both of such General Agents with respect to the date of termination and attachment of P & I insurance.

(d) *Vessels designated for lay-up.* The General Agent shall terminate P & I insurance as of midnight, e. s. t., of the day the crew signs off Articles. The Owner will assume all risks of a P & I insurance nature occurring subsequent to the time that the crew signs off the Articles.

(e) *Vessels designated for fleet custody status.* On vessels designated for fleet custody status, P & I insurance shall terminate as of the date and hour of delivery to the reserve fleet.

(f) *Vessels in reduced operational status designated for fleet custody status.* On vessels in reduced operational status which are subsequently designated for fleet custody status, P & I insurance shall terminate as of the date and hour of delivery to the reserve fleet.

(g) *Vessels in reduced operational status designated for stripping and lay up.* On vessels in reduced operational status which are subsequently designated for stripping and lay up, P & I insurance shall be terminated midnight, e. s. t., as of the date notice to that effect is received by General Agent.

(h) *Notice of attachment and termination of insurance.* The General Agent shall notify the Office of Comptroller, Division of Insurance, Maritime Administration, Washington 25, D. C., of the date and hour of the attachment or of the termination of P & I insurance as soon as either is effected in accordance with paragraphs (a) (b), (c) (d), (e) (f) or (g) hereof.

SEC. 6. *Issuance of policies or certificates by Underwriter.* The Underwriting Agent, upon receipt of an application from a General Agent, shall arrange for execution and delivery to the General Agent of the Underwriter's policy and/or certificate with respect to each vessel named in such application. The Underwriting Agent shall obtain and furnish copies of policies and/or certificates in such number as are required by the Owner and by the General Agent. The original and one copy of all policies and/or certificates shall be forwarded by each General Agent to the Office of Comptroller, Division of Insurance, Maritime Administration, Department of Commerce, Washington 25, D. C. Upon cancellation of P & I insurance, the Underwriter shall issue an endorsement with respect to such cancellation, showing cancellation date and amount of return premium.

SEC. 7. *Insurance premium*—(a) *Payment of premium.* Premiums for P & I insurance provided under the policies shall be paid by each General Agent quarterly, in advance, from the time of attachment of such insurance to March 31, 1954, midnight, e. s. t. The brokers shall be limited to 5 percent discount on premiums.

(b) *Return premiums.* Each General Agent shall be responsible for collecting or obtaining credit for return premiums for all vessels insured with the Underwriter pursuant to this order. Statements or credit memoranda shall be obtained in duplicate from the Underwriter; the originals thereof shall be filed in the General Agent's office and shall be

subject to inspection by the Owner's auditors; the duplicate copies thereof shall be forwarded to the Office of Comptroller, Division of Insurance, Maritime Administration, Washington 25, D. C.

(c) *Return premium on vessel transferred from one General Agent to another General Agent.* If an insured vessel is transferred from one General Agent to another General Agent and P & I insurance under the policy is cancelled, returns shall be allowed on the basis of 95 percent net of the annual premium prorated daily for the unexpired period of the policy. *Provided, however,* That returns for such vessel shall be allowed from 12:01 a. m., e. s. t., of the day of such transfer if the transfer is noon or before, e. s. t., or from 12:01 a. m., e. s. t., of the succeeding day if the transfer is subsequent to noon, e. s. t.

SEC. 8. *Reports of accidents and occurrences*—(a) *Reports to Underwriter.* All accidents and occurrences of a P & I nature, arising subsequent to the attachment of P & I insurance (as provided in section 5 of this order), shall be promptly reported by the General Agent, together with all available information, to the Underwriter. The General Agent shall obtain the names of the Underwriter's outport representatives from the Underwriting Agent and shall supply such information to the master of each vessel so that he may obtain such assistance from outport representatives and make such reports to them as he may be required under the circumstances.

(b) *Reports to Owner.* All accidents and occurrences of a P & I nature, arising prior to the attachment and subsequent to the termination of P & I insurance (as provided in section 5 of this order), shall be reported to the Office of Comptroller, Division of Insurance, Maritime Administration, Washington 25, D. C.

SEC. 9. *Settlement of claims*—(a) *Commercial marine protection and indemnity policies.* General Agents of vessels described in this order are hereby authorized to settle P & I claims in settlement amounts which do not exceed the applicable deductible averages set forth in the P & I policies. If the proposed settlement amount of any claims exceeds the applicable deductible average, the General Agent shall first obtain the Underwriter's approval of such proposed settlement and, after payment of such claims, shall obtain reimbursement from the Underwriter. The deductible average is a vessel operating expense and shall be accounted for in accordance with accounting and auditing instructions. When settling any claim, the General Agent shall advise the claimant that such settlement is not to be construed as an admission of liability by or on behalf of the Owner, or its General Agents and Berth Agents or their Sub-Agents, but that the settlement is a compromise of a disputed claim. General Agents shall be expected to apply sound judgment and follow standard practices of steamship operators in settling or disposing of P & I claims and shall avail themselves of the advice and assistance of the Underwriter, and may consult any District Counsel of the Maritime

Administration. Berth Agents shall furnish reports and render all necessary assistance to the General Agents in handling P & I insurance claims. A claim shall be settled only when the amount of the settlement is reasonable under the circumstances, is adequately supported, and is in the best interests of the United States.

(b) *Assumed risk.* General Agents are hereby authorized to settle claims of a P & I nature, arising under conditions where the risk is assumed by the Owner, as set forth in section 5 of this order, without prior approval, provided each such claim settlement does not exceed \$1,000. If the proposed settlement amount of any such claim exceeds \$1,000, the General Agent shall first obtain approval of such proposed settlement from the Office of Comptroller, Division of Insurance, Maritime Administration, Washington 25, D. C., before payment. Payment of such claim is a vessel operating expense and shall be accounted for in accordance with accounting and auditing instructions. When settling any claim hereunder, General Agents shall be governed by the procedure and instructions set forth in paragraph (a) of this section insofar as applicable.

(c) *Claims declined by Underwriters.* Any claim of a P & I nature, whether arising prior or subsequent to March 31, 1953, which has been declined by this Underwriter, or by any other Underwriters under prior insuring agreements, shall be forwarded to the Office of Comptroller, Division of Insurance, Maritime Administration, Washington 25, D. C., for review and further instruction.

Sec. 10. *Litigation and employment of counsel.* (a) As to any suit arising out of the activities of a General Agent in the course of his official duties, wherein the General Agent is named a party or one of the parties respondent or defendant, and whether or not the risk is covered by P & I insurance, such General Agent shall immediately by air mail forward copies of the pleadings and all other related legal documents to the General Counsel, Maritime Administration, Department of Commerce, Washington 25, D. C., and to the Attorney General, Admiralty and Shipping Section, Department of Justice, Washington 25, D. C. No General Agent, Berth Agent, or Sub-Agent shall incur any legal expenses in connection with any claim covered by P & I insurance unless approved in advance by the Underwriter, or in connection with any other claim unless approved in advance by the General Counsel, Maritime Administration, except in an emergency where time will not permit such approval to be obtained.

(b) In addition to the foregoing, in the case of any attachment or seizure of a vessel, whether or not the risk is covered by P & I insurance, the General Agent shall immediately notify the nearest Maritime Administration representative or the General Counsel, Maritime Administration, Washington 25, D. C., by telegram, radio or cable.

No. 88—3

Sec. 11. *Report of claims.* (a) All General Agents shall submit to the Office of Comptroller, Division of Insurance, Maritime Administration, Washington 25, D. C., quarterly reports of all claims, listed separately under the following categories:

- (1) Insured claims closed and paid
 - (i) In excess of deductible averages;
 - (ii) Within deductible averages;
- (2) Insured claims pending
 - (i) In excess of deductible averages;
 - (ii) Within deductible averages;
- (3) Claims closed and paid under risks assumed by Owner;
- (4) Claims pending under risks assumed by Owner.

The lists shall contain, with respect to each claim, the name of the vessel(s) involved; date and nature of occurrence; name of claimant(s) whether or not in litigation; amount claimed; total amount paid; and, where applicable, amount of reimbursement from Underwriter, status of claim, and amount of loss or damage estimated as probable future cost.

(b) The first of such reports shall cover the quarterly period ending June 30, 1953, and shall be submitted as soon as possible after said date. Subsequent reports shall be made promptly after the conclusion of each quarterly period thereafter. A claim previously reported as closed shall not be reported on subsequent statements unless it is reopened. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Sec. 12. *Application and interpretation of this order.* General Agents shall communicate directly with the Office of Comptroller, Division of Insurance, Maritime Administration, Washington 25, D. C., regarding all questions of application, interpretation, or intent of this order.

Approved: April 28, 1953.

[SEAL] C. H. McGurn,
Director
National Shipping Authority.

[F. R. Doc. 53-4034; Filed, May 6, 1953;
8:56 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 97—STAR, STEAMSHIP, AND STEAMBOAT ROUTES, AND VEHICLE SERVICE IN CITIES

EMPLOYMENT OF SPECIAL CARRIER

In § 97.51 *Employment of special carrier* amend paragraph (a) by deleting the last sentence.

(E. S. 161, 396; secs. 304, 303, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] ROSS RIZLEY,
Solicitor.

[F. R. Doc. 53-3973; Filed, May 6, 1953;
8:46 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 104—BRISTOL BAY AREA

PART 111—FRANCE WILLIAM SOUND AREA

PART 112—COPPER RIVER AREA

PART 119—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

MISCELLANEOUS AMENDMENTS

Basis and purposes. On the basis of additional information developed through further discussions with various elements of the industry and study by the Fish and Wildlife Service, it has been determined that the following changes in the Alaska commercial fisheries regulations are in the interests of proper utilization of the fishery resources. Because of the imminence of the seasons in certain of the fisheries affected, the public interest requires that these amendments shall become effective immediately. Therefore, effective upon publication in the *FEDERAL REGISTER*,

1. Section 104.2 is amended by adding a new paragraph (e) to read as follows:

(e) *Togiak district:* All waters north of a line from Right Hand Point to Tongue Point.

2. Section 104.3 is amended in paragraph (a) and is further amended by adding a new paragraph (e), to read as follows:

(a) *Nushagak district:* Fishing is prohibited prior to 6 o'clock antemeridian June 25, except with mesh not less than 8½ inches stretched measure between knots, and from 6 o'clock postmeridian July 25 to 6 o'clock antemeridian August 3.

(e) *Togiak district:* Fishing is prohibited, except with set nets from 6 o'clock antemeridian June 25 to 6 o'clock postmeridian July 25.

3. Section 104.5 is amended by changing the period at the end to a colon and adding the following proviso: "Provided, That in the Nushagak district such extensions to the statutory weekly closed period shall include the periods from 6 o'clock antemeridian Tuesday to 6 o'clock antemeridian Friday, and from 6 o'clock antemeridian Saturday to 6 o'clock antemeridian Monday, making a weekly closure of 120 hours."

4. Section 104.50 is amended by changing the period to a colon and adding the following proviso: "And provided further, That these prohibitions shall not apply in the Togiak district."

5. Section 111.12 is amended in paragraph (c) to read as follows:

(c) *Port Valdez:* All waters east of 146 degrees 39 minutes 35 seconds west longitude.

6. Section 112.8 is amended by changing the period at the end to a colon and adding the following proviso: "Provided, That in the period from 6 o'clock ante-meridian May 15 to 6 o'clock postme-ridian May 31, not to exceed 100 fathoms of net of mesh not less than 8½ inches stretched measure between knots may be used by any individual in addition to 150 fathoms of red salmon net."

7. Section 119.10 is amended in para-graph (b) to read as follows:

(b) Windham Bay, indenting main-land. All waters east of a line extending across the narrows at approximately 133 degrees 27 minutes west longitude.

(Sec. 1, 43 Stat. 464; as amended; 48 U. S. C. 221)

DOUGLAS MCKAY,
Secretary of the Interior

MAY 1, 1953.

[F. R., Doc. 53-3968; Filed, May 6, 1953;
8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 52]

CANNED FRUIT COCKTAIL

U. S. STANDARDS FOR GRADES¹

Notice is hereby given that the United States Department of Agriculture is considering the revision, as herein pro-posed, of the current United States Standards for Grades of Canned Fruit Cocktail, pursuant to the authority con-tained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952). This revision, if made effec-tive, will be the second issue by the Department of grade standards for this product.

All persons who desire to submit writ-ten data, views, or arguments for con-sideration in connection with the proposed revision should file the same, in duplicate, with the Chief, Processed Products Standardization and Inspec-tion Division, Fruit and Vegetable Branch, Production and Marketing Ad-ministration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed revision is as follows:

§ 52.318 *Canned fruit cocktail.* "Canned fruit cocktail" means the food prepared from the mixture of fruit in-gredients of peaches, pears, grapes, pine-

¹The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

apple, and cherries as defined in the standard of identity for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail (21 CFR 27.40) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(a) *Grades of canned fruit cocktail.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned fruit cocktail that is practically free from defects; that possesses a good character; that pos-sesses a normal flavor and odor; and that is of such quality with respect to clear-ness of liquid media, color, and uniform-ity of size as to score not less than 85 points when scored in accordance with the scoring system outlined in this sec-tion.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of canned fruit cocktail that possesses a fairly clear liquid media;

that is reasonably uniform in size; that is reasonably free from defects; that possesses a reasonably good character; that possesses a normal flavor and odor; and that is of such quality with respect to color as to score not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "Substandard" is the quality of canned fruit cocktail that fails to meet the requirements of U. S. Grade B or U. S. Choice and is the quality of canned fruit cocktail that may or may not meet the minimum standard of quality for canned fruit cocktail issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(b) *Proportion of fruit ingredients.* Canned fruit cocktail shall contain the fruit ingredients in the proportions in-dicated in Table I.

TABLE I

Fruit ingredient	Style	Proportions	
		Not less than—	Not more than—
Peaches (any yellow variety).....	Diced.....	30 percent by weight of drained fruit.	50 percent by weight of drained fruit.
Pears (any variety).....	Diced.....	25 percent by weight of drained fruit.	45 percent by weight of drained fruit.
Grapes (any seedless variety).....	Whole.....	6 percent by weight of drained fruit.	20 percent by weight of drained fruit.
Pineapple (any variety).....	Diced or sectors.....	6 percent by weight of drained fruit; but not less than 2 sec-tors or 3 dice for each 4½ ounces avoirdupois of product and each fraction thereof greater than 2 ounces.	10 percent by weight of drained fruit.
Cherries (any light, sweet variety) or (artificially colored red) or (artificially colored red and artificially flavored).....	Approximate halves.....	2 percent by weight of drained fruit; but not less than 1 ap-proximate half for each 4½ ounces avoirdupois of product and each fraction thereof greater than 2 ounces.	6 percent by weight of drained fruit.

(c) *Liquid media and Brix measurements for canned fruit cocktail.* "Cut-out" requirements for liquid media in canned fruit cocktail are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix mea-surement, as applicable, for the respective designations are as follows:

Designations	Brix measurement
"Extra heavy sirup" or "Extra heavy fruit juice sirup".....	22° or more but not more than 35°
"Heavy sirup" or "Heavy fruit juice sirup".....	18° or more but less than 22°
"Light sirup" or "Light fruit juice sirup".....	14° or more but less than 18°
"In water".....	Packed in water.
"In fruit".....	Packed in fruit juice.

(d) *Fill of container for canned fruit cocktail.* (1) The standard of fill of container for canned fruit cocktail is a fill such that the total weight of drained fruit is not less than 65 percent of the water capacity of the container. Canned fruit cocktail that does not meet this requirement is "Below Standard in Fill."

(2) Such total weight of drained fruit is determined by the following method: Tilt the open container so as to distrib-ute the contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bot-

tom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bu-reau of Standards. Without shifting the material on the sieve so incline the sieve as to facilitate the drainage. Two min-utes from the time drainage begins, weigh the sieve and drained fruit. The weight so found, less the weight of the sieve, shall be considered to be the total weight of drained fruit.

(3) The total weight of drained fruit, also termed "drained weight," shall be not less than that shown for the respec-tive size of containers in Table II.

TABLE II

[Minimum drained weight for canned fruit cocktail]

Container designation (metal, unless otherwise stated)	Container size			Capacity—weight H ₂ O at 68° F.	Minimum drained weight (75 percent capacity)
	Over-all width	Dimensions, height	Over-flow capacity		
	Inches	Inches	Fluid ounces	Ardp. ounces	Ounces
8 Z tall	2 1/4	3 1/4		8.65	5.63
8-oz. glass			8.2	8.59	5.53
No. 1 tall	3 1/4	4 1/4		16.69	10.79
No. 333	3 3/4	4 1/4		16.85	10.95
333 glass			17.0	17.70	11.51
No. 2	3 1/4	4 1/4		20.50	13.33
No. 2 1/2	4 1/4	4 1/4		20.75	13.37
No. 2 1/2 glass			23.35	23.89	15.18
No. 10	6 1/4	7		102.45	71.15

(e) *Ascertaining the grade.* (1) The grade of canned fruit cocktail is ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of clearness of liquid media, color, uniformity of size, absence of defects, and character.

(2) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
(i) Clearness of liquid media	20
(ii) Color	20
(iii) Uniformity of size	20
(iv) Absence of defects	20
(v) Character	20

Total score..... 100

(3) "Normal flavor and odor" means that the canned fruit cocktail is free from objectionable flavors and objectionable odors of any kind.

(f) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points)

(i) *Clearness of liquid media.* (i) Canned fruit cocktail that possesses a reasonable clear liquid media may be given a score of 17 to 20 points. "Reasonably clear liquid media" means that the liquid drained from the fruit cocktail is reasonably bright in color without any tinge of pink color or dullness of color and may contain fine fruit particles which do not materially affect the appearance of the product.

(ii) If the canned fruit cocktail possesses a fairly clear liquid media, a score of 14 to 16 points may be given. "Fairly clear liquid media" means that the liquid drained from the fruit cocktail may be slightly pink or slightly dull in color but is not off color for any reason and may contain fruit particles which materially affect, but do not seriously affect, the appearance of the product.

(iii) Canned fruit cocktail that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(2) *Color.* The factor of color refers to the general brightness and uniformity of color typical of each of the fruit ingredients; the degree of freedom from staining from artificially colored cherries, if present; and the dullness or off color in any single fruit ingredient.

(i) Canned fruit cocktail that possesses a good color may given a score of 17 to 20 points. "Good color" means that each fruit ingredient possesses a practically uniform typical color that is bright and characteristic of at least reasonably well-matured fruit that has been properly prepared and processed; that any of the fruit ingredients may be no more than slightly affected by pink staining; and that none of the fruit ingredients are dull or off color for reasons other than being slightly affected by pink staining.

(ii) If the canned fruit cocktail possesses a reasonably good color, a score of 14 to 16 points may be given. Canned fruit cocktail that falls into this classification because of staining or dullness of color shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a partial limiting rule) "Reasonably good color" means that each fruit ingredient possesses a reasonably uniform typical color that is reasonably bright and characteristic of at least fairly well-matured fruit that has been properly prepared and processed; and that any of the fruit ingredients may be more than slightly affected by pink staining but not to the extent that the appearance is materially affected by this cause or may be slightly dull in color but none of the fruit ingredients are off color for reasons other than staining or dullness within these limits.

(iii) Canned fruit cocktail that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(3) *Uniformity of size.* The factor of uniformity of size refers to the uniformity of size of intact halves of cherries and whole grapes and to the degree of deviation from the dimensions for diced units of peaches, pears, and pineapple or for sectors of pineapple, which dimensions approximate the following:

(i) Diced units are not more than 3/4 inch in greatest edge dimension and will not pass through the meshes of a sieve designated as 5/16 inch in Table I of "Standard Specifications for Sieves" published March 1, 1940, in L. C. 584 of the National Bureau of Standards, U. S. Department of Commerce;

(ii) Sectors of pineapple: The length of the outside arc is not more than 3/4 inch but is more than 3/8 inch; the thickness is not more than 1/2 inch but is more than 5/16 inch; the length (measured along the radius from the inside arc to outside arc) is not more than 1 1/4 inch but is more than 3/4 inch.

(iii) Canned fruit cocktail in which each of the fruit ingredients are practically uniform in size may be given a score of 17 to 20 points. "Practically uniform in size" means that not more

than 10 percent by weight of peach units, not more than 10 percent by weight of pear units, and not more than 10 percent by weight of pineapple units if diced may fall to conform to the dimensions for diced units; that not more than 10 percent by weight of pineapple units if in sectors may fail to conform to the dimensions for sectors of pineapple; that the largest whole grape does not weigh more than four times the weight of the smallest whole grape; and that the longest dimension on the cut surface of the largest intact cherry half does not exceed the longest dimension on the cut surface of the smallest intact cherry half by more than 50 percent.

(iv) If the canned fruit cocktail possesses fruit ingredients that are reasonably uniform in size, a score of 14 to 16 points may be given. "Reasonably uniform in size" means that not more than 15 percent by weight of peach units, not more than 15 percent by weight of pear units, and not more than 15 percent by weight of pineapple units if diced may fail to conform to the dimensions for diced units; that not more than 15 percent by weight of pineapple units if in sectors may fail to conform to the dimensions for sectors of pineapple; and that the whole grapes and intact cherry halves may vary in weight or size in that the largest whole grape may weigh more than four times the weight of the smallest whole grape and that the longest dimension on the cut surface of the largest intact cherry half may exceed the longest dimension on the cut surface of the smallest intact cherry half by more than 50 percent.

(v) Canned fruit cocktail which fails to meet subdivision (iv) of this subparagraph because of the degree of deviation from the dimensions of diced units of peaches, pears, or pineapple or sectors of pineapple shall be given a score of 0 to 13 points; shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule), and may or may not be:

Below Standard in Quality
Good Food—Not High Grade

(4) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material; from peel; from pits or portions thereof; from capstems; from crushed or broken grapes; from broken cherry halves; from unevenly colored cherry halves; from blemished units; and from any other defects which detract from the appearance or edibility of the product.

(i) "Harmless extraneous material" means any vegetable substance not specifically mentioned herein as a defect that is harmless.

(ii) A "pit or portion thereof" means any whole pit or piece of pit material, regardless of size.

(iii) A "capstem" means a small woody stem which attaches a grape to the branch of a bunch of grapes. Capstems are considered as defects whether or not attached to a grape.

(iv) A "crushed or broken grape" means a grape that is severely crushed so as to destroy its shape or that is severed into two separate parts. For-

tions or fragments of grapes that are the equivalent of one grape are considered as a grape in ascertaining compliance with percentages by count of grapes.

(v) A "broken cherry half" means any portion of a cherry that is definitely less than an apparent half or a definitely mutilated cherry half.

(vi) An "unevenly colored cherry half" means, if the cherry halves are artificially colored, that the color in the cherry half is other than evenly distributed in the unit or other than uniform with the color of the other cherry halves.

(vii) "Blemished" in the case of the peach, pear, grape, or cherry ingredients means blemished with scab, hail injury, scar tissue, objectionable pear seed cell material, objectionable portions of interior pear stems, or other abnormality which materially affects the appearance of the unit; and in the case of the pineapple ingredient means any blemish or combination of blemishes on a unit which materially affects the appearance or edibility of the unit and includes, but is not limited to, any fruit eye or portion thereof which on the exposed portion exceeds the area of a circle $\frac{1}{16}$ inch in diameter, brown spots, pieces of shell, bruised portions, or other similar blemishes.

(viii) Canned fruit cocktail that is practically free from defects may be given a score of 17 to 20 points. "Practically free from defects" means that the product is practically free from harmless extraneous material or pits or portions thereof; is practically free from the presence of peel, from loose capstems, or from any other defects not specifically mentioned that more than slightly affect the appearance or edibility of the product; and that, in addition, not more than the following defective units, as applicable for the ingredient, may be present:

(a) *Peach*. 5 percent by weight of the peach units may be blemished;

(b) *Pear*. 5 percent by weight of the pear units may be blemished;

(c) *Pineapple*. 5 percent by count of the pineapple units may be blemished;

(d) *Grape*. 5 percent by count of the grapes in a container containing 20 grapes or more, and 1 grape in a container containing less than 20 grapes may be blemished; 5 percent by count of the grapes in a container containing 20 grapes or more, and 1 grape in a container containing less than 20 grapes may be crushed or broken; and 10 percent by count of the grapes in a container containing 10 grapes or more, and 1 grape in a container containing less than 10 grapes may have the capstem attached.

(e) *Cherry*. 5 percent by count of the cherry halves in a container containing 20 cherry halves or more, and 1 cherry half in a container containing less than 20 cherry halves may be blemished, 5 percent by count of the cherry halves in a container containing 20 cherry halves or more, and 1 cherry half in a container containing less than 20 cherry halves may be a broken cherry half; and 5 percent by count of the cherry halves in a container containing 20 cherry halves or more, and 1 cherry half in a container containing less than

20 cherry halves may be unevenly colored.

(ix) If the canned fruit cocktail is reasonably free from defects, a score of 14 to 16 points may be given. Canned fruit cocktail that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Reasonably free from defects" means that the product is practically free from harmless extraneous material or pits or portions thereof; that the product is reasonably free from loose capstems or from any other defects not specifically mentioned that materially affect the appearance or edibility of the product; that not more than $\frac{1}{2}$ square inch of peel for each pound of net contents may be present; and that, in addition, not more than the following defective units, as applicable for the ingredient, may be present:

(a) *Peach*. 10 percent by weight of the peach units may be blemished,

(b) *Pear*. 10 percent by weight of the pear units may be blemished;

(c) *Pineapple*. 12½ percent by count of the pineapple units may be blemished;

(d) *Grape*. 20 percent by count of the grapes may be blemished; 10 percent by count of the grapes in a container containing 10 grapes or more, and 1 grape in a container containing less than 10 grapes may be crushed or broken; and 10 percent by count of the grapes in a container containing 10 grapes or more, and 1 grape in a container containing less than 10 grapes may have the cap stem attached;

(e) *Cherry*. 15 percent by count of the cherry halves in a container containing more than 6 cherry halves, and 1 cherry half in a container containing 6 cherry halves or less may be blemished; 15 percent by count of the cherry halves in a container containing more than 6 cherry halves, and 1 cherry half in a container containing 6 cherry halves or less may be a broken cherry half; and 15 percent by count of the cherry halves in a container containing more than 6 cherry halves, and 1 cherry half in a container containing 6 cherry halves or less may be unevenly colored.

(x) Canned fruit cocktail that fails to meet any of the requirements of subdivision (ix) of this subparagraph shall be given a score of 0 to 13 points; shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule), and may or may not be:

Below Standard in Quality
Good Food—Not High Grade

(5) *Character*. The factor of character refers to the texture and tenderness for the fruit ingredient as prepared and processed for canned fruit cocktail.

(i) Canned fruit cocktail that possesses a good character may be given a score of 17 to 20 points. "Good character" means that each fruit ingredient is reasonably uniform in texture and tenderness with no more than slight disintegration and that the individual fruit ingredients meet the following requirements:

(a) *Peach*. The texture is typical of diced peaches prepared and processed from at least reasonably well-matured

fruit and the units may range in tenderness from slightly firm to slightly soft but possess fairly well-defined edges.

(b) *Pear*. The texture is typical of diced pears prepared and processed from properly ripened pears or from pears of moderate graininess and the units may range in tenderness from slightly firm to slightly soft and may have slightly rounded edges.

(c) *Pineapple*. The units are practically uniform in ripeness with fruitlets of compact structure, are reasonably free from porosity, and are practically free from hard core material.

(d) *Grape*. The units are reasonably plump and reasonably firm.

(e) *Cherry*. The units are reasonably firm.

(ii) If the canned fruit cocktail possesses a reasonably good character, a score of 14 to 16 points may be given. Canned fruit cocktail that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Reasonably good character" means that each fruit ingredient may range from a firm to soft texture without serious disintegration and that the individual fruit ingredients meet the following requirements:

(a) *Peach*. The texture is typical of diced peaches prepared and processed from at least fairly well-matured fruit and the units may range in tenderness from firm to soft and may possess frayed edges.

(b) *Pear*. The texture is typical of diced pears prepared and processed from properly ripened pears or from pears of marked graininess and the units may be lacking in uniformity of tenderness ranging from markedly firm to soft with rounded edges.

(c) *Pineapple*. The units are reasonably uniform in ripeness with fruitlets of reasonably compact structure, are fairly free from porosity, and are reasonably free from hard core material.

(d) *Grape*. The units may be variable in texture from firm to soft but not mushy or excessively flabby.

(e) *Cherry*. The units may be fairly firm to soft but not excessively flabby.

(iii) If the canned fruit cocktail fails to meet the requirements of subdivision (ii) of this subparagraph, a score of 0 to 13 points may be given. Canned fruit cocktail that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(g) *Tolerances for certification of officially drawn samples*. (1) When certifying samples that have been officially drawn and which represent a specific lot of canned fruit cocktail the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, with respect to those factors which are scored:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores;

(iv) The average score of all containers for any factor subject to a limiting rule must be within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample; and

(2) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification

(h) *Score sheet for canned fruit cocktail.*

Size and kind of container.....	_____
Container mark or identification.....	_____
Label.....	_____
Net weight (ounces).....	_____
Vacuum (inches).....	_____
Drained weight (ounces):	
() Meets fill of container.....	_____
() Fails fill of container.....	_____
Brix measurement.....	_____
Sirup designation (extra heavy, heavy, etc.).....	_____
Proportions of fruit ingredients:	
Peach: -- ozs. -- % () Meets () Fails.....	_____
Pear: -- ozs. -- % () Meets () Fails.....	_____
Pineapple: -- ozs. -- % () Meets () Fails.....	_____
Grape: -- ozs. -- % () Meets () Fails.....	_____
Cherry: -- ozs. -- % () Meets () Fails.....	_____
Total..... ozs. 100 %	_____
Count:	
Pineapple () Sectors () Diced.....	_____
Cherry halves.....	_____

Factors	Score points
I. Clearness of liquid media.....	20
II. Color.....	20
III. Uniformity of size.....	20
IV. Absence of defects.....	20
V. Character.....	20
Total score.....	100

¹ Indicates limiting rule.
² Indicates partial limiting rule.

Issued at Washington, D. C., this 1st day of May 1953.

[SEAL] **GEORGE A. DICE,**
Deputy Assistant Administrator
Production and Marketing Administration.

[F. R. Doc. 53-3995; Filed, May 6, 1953; 8:49 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 697]

PUERTO RICO: BUTTON, BUCKLE, AND JEWELRY INDUSTRY; LEATHER AND FABRIC BUTTON AND BUCKLE DIVISION

NOTICE OF EXTENSION OF TIME TO FILE EXCEPTIONS TO PROPOSED MINIMUM WAGE RATES

On April 14, 1953, there was published in the FEDERAL REGISTER (18 F. R. 2085) a notice of my proposed decision con-

cerning new minimum wage rates for Button, Buckle, and Jewelry Industry in Puerto Rico, which included my proposed decision to approve the minimum wage recommendation of Special Industry Committee No. 12 for Puerto Rico for the Leather and Fabric Button and Buckle Division of the Button, Buckle, and Jewelry Industry. Said proposed decision stated that within 20 days from publication of the proposed decision interested parties could submit written exceptions to said proposed action.

Notice is hereby given that, upon good cause shown, the time for filing exceptions to my proposed decision to approve the recommendations of Special Industry Committee No. 12 for Puerto Rico for

the Leather and Fabric Button and Buckle Division of the Button, Buckle, and Jewelry Industry in Puerto Rico is hereby extended to May 18, 1953. Such exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate and should include supporting reasons for any exceptions.

Signed at Washington, D. C., this 4th day of May 1953.

WILL R. MCCOMB,
Administrator.

Wage and Hour Division.

[F. R. Doc. 53-3393; Filed, May 6, 1953; 8:49 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 53257]

IMPORTS OF WOOL TOPS FROM URUGUAY

COUNTERVAILING DUTIES

The Bureau has received information concerning the export of wool tops to the United States from Uruguay which satisfies the Bureau that such exports receive bounties or grants within the meaning of section 303 of the Tariff Act of 1930 (19 U. S. C. 1303). Accordingly, notice is hereby given that wool tops imported directly or indirectly from Uruguay, except any such importations which are free of duty under the Tariff Act of 1930, if entered for consumption or withdrawn from warehouse for consumption, after the expiration of 30 days after publication of this decision in the weekly Treasury Decisions, will be subject to the payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed upon their exportation from Uruguay.

In accordance with section 303, it is hereby estimated and determined that under existing conditions the net amount of such bounty or grant is 18 percent of the sum of the invoice value of the wool tops per se and any dutiable charges applicable to such tops. On and after the effective date of this notice, and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable wool tops, imported directly or indirectly from Uruguay, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above estimation and determination.

[SEAL] **D. B. STRUBINGER,**
Acting Commissioner of Customs.

Approved: May 6, 1953.

G. M. HUMPHREY,
Secretary of the Treasury.

[F. R. Doc. 53-4106; Filed, May 6, 1953; 11:30 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order 4012]

TEXAS

LOAN ANNOUNCEMENT

FEBRUARY 24, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Texas T/R Johnson \$237,000

[SEAL] **CLAUDE R. WICKARD,**
Administrator.

[F. R. Doc. 53-3396; Filed, May 6, 1953; 8:59 a. m.]

[Administrative Order 4013]

CALIFORNIA

LOAN ANNOUNCEMENT

FEBRUARY 24, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
California 35C Sacramento District Public \$3,220,000

[SEAL] **CLAUDE R. WICKARD,**
Administrator.

[F. R. Doc. 53-3397; Filed, May 6, 1953; 8:59 a. m.]

[Administrative Order 4014]

PENNSYLVANIA

LOAN ANNOUNCEMENT

FEBRUARY 24, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a

loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Pennsylvania 14P Clearfield----- \$510,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-3998; Filed, May 6, 1953;
8:50 a. m.]

[Administrative Order 4015]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 24, 1953.

I hereby amend:

(a) Administrative Order No. 331, dated March 31, 1939, by reducing the allocation of \$5,000 therein made for "Alabama R9023W1 Pike" by \$2,688 so that the reduced allocation shall be \$2,312;

(b) Administrative Order No. 450, dated April 22, 1940, by reducing the allocation of \$5,000 therein made for "Florida O-R9023W1 Levy" by \$2,531.58 so that the reduced allocation shall be \$2,468.42;

(c) Administrative Order No. 620, dated September 23, 1941, by rescinding the allocation of \$4,000 therein made for "Florida 2023S2 Levy";

(d) Administrative Order No. 1035, dated April 4, 1946, by rescinding the allocation of \$50,000 therein made for "Georgia 17G Burke";

(e) Administrative Order No. 610, dated July 25, 1941, by reducing the allocation of \$10,000 therein made for "Georgia 2020W1 Troup" by \$8,387.77 so that the reduced allocation shall be \$1,612.23; and

(f) Administrative Order No. 538, dated November 5, 1940, by reducing the allocation of \$5,000 therein made for "Georgia 1099W1 McIntosh" by \$3,946 so that the reduced allocation shall be \$1,054.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-3999; Filed, May 6, 1953;
8:50 a. m.]

[Administrative Order 4016]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 24, 1953.

I hereby amend:

(a) Administrative Order No. 335, dated April 12, 1939, by reducing the allocation of \$5,000 therein made for "Illinois R9027W1 Edgar" by \$2,034.58 so that the reduced allocation shall be \$2,965.42;

(b) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$5,000 therein made for "Illinois 2027S2 Edgar";

(c) Administrative Order No. 454, dated April 30, 1940, by reducing the allocation of \$10,000 therein made for "Illinois O-8034W2 Jackson" by \$3,326 so that the reduced allocation shall be \$6,674;

(d) Administrative Order No. 635, dated November 5, 1941, by rescinding the allocation of \$8,000 therein made for "Illinois 2034S3 Jackson";

(e) Administrative Order No. 394, dated September 27, 1939, by reducing the allocation of \$5,000 therein made for "Illinois 0044W1 Carroll" by \$1,964.18 so that the reduced allocation shall be \$3,035.82;

(f) Administrative Order No. 635, dated November 5, 1941, by reducing the allocation of \$5,000 therein made for "Illinois 2044S2 Carroll" by \$4,457.45 so that the reduced allocation shall be \$542.55.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4000; Filed, May 6, 1953;
8:50 a. m.]

[Administrative Order 4017]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 24, 1953.

I hereby amend:

(a) Administrative Order No. 620, dated September 23, 1941, by reducing the allocation of \$5,000 therein made for "Illinois 2002S1 Wayne" by \$3,268.50 so that the reduced allocation shall be \$1,731.50;

(b) Administrative Order No. 410, dated November 8, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$3,500 therein made for "Illinois O-R9008W1 Coles" by \$1,102.12 so that the reduced allocation shall be \$2,397.88;

(c) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$7,500 therein made for "Illinois 2008S2 Coles";

(d) Administrative Order No. 394, dated September 27, 1939, by reducing the allocation of \$4,000 therein made for "Illinois 0018W2 Pike" by \$147 so that the reduced allocation shall be \$3,853;

(e) Administrative Order No. 559, dated February 24, 1941, by reducing the allocation of \$2,500 therein made for "Illinois 1018W3 Pike" by \$2,175 so that the reduced allocation shall be \$325; and

(f) Administrative Order No. 635, dated November 5, 1941, by rescinding the allocation of \$12,500 therein made for "Illinois 2018S4 Pike"

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4001; Filed, May 6, 1953;
8:50 a. m.]

[Administrative Order 4018]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 24, 1953.

I hereby amend:

(a) Administrative Order No. 348, dated May 19, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$10,000 therein made for "Oklahoma R9006S3 Caddo" by \$6,261.70 so that the reduced allocation shall be \$3,738.30;

(b) Administrative Order No. 441, dated March 11, 1940, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$25,000 therein made for "Oklahoma 0006S4 Caddo" by \$34.46 so that the reduced allocation shall be \$24,965.54;

(c) Administrative Order No. 620, dated September 23, 1941, by reducing the allocation of \$1,500 therein made for "Oklahoma 2006S5 Caddo" by \$913.91 so that the reduced allocation shall be \$586.09;

(d) Administrative Order No. 544, dated December 6, 1940, by rescinding the allocation of \$5,000 therein made for "Texas 1023W2 McCulloch";

(e) Administrative Order No. 373, dated July 14, 1939, by reducing the allocation of \$5,000 therein made for "Texas 0096W1 Victoria" by \$3,594 so that the reduced allocation shall be \$1,406; and

(f) Administrative Order No. 798, dated December 22, 1943, by reducing the allocation of \$25,000 therein made for "Texas 4-3132S1 Merkel" by \$25.50 so that the reduced allocation shall be \$24,974.50.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4002; Filed, May 6, 1953;
8:50 a. m.]

[Administrative Order 4019]

ALLOCATION OF FUNDS FOR LOANS

- FEBRUARY 24, 1953.

I hereby amend:

(a) Administrative Order No. 291, dated September 16, 1938, by reducing the allocation of \$30,000 therein made for "Minnesota R9055W2 Watonwan" by \$688.46 so that the reduced allocation shall be \$29,311.54;

(b) Administrative Order No. 620, dated September 23, 1941, by reducing the allocation of \$12,000 therein made for "Minnesota 2055S3 Watonwan" by \$9,128.13 so that the reduced allocation shall be \$2,871.87

(c) Administrative Order No. 538, dated November 5, 1940, by reducing the allocation of \$5,000 therein made for "Minnesota 1056W3 Crow Wing" by \$535.57 so that the reduced allocation shall be \$4,464.43;

(d) Administrative Order No. 544, dated December 6, 1940, by reducing the allocation of \$5,000 therein made for "Minnesota 1065W3 Dakota" by \$828.50 so that the reduced allocation shall be \$4,171.41;

(e) Administrative Order No. 627, dated October 8, 1941, by rescinding the allocation of \$15,000 therein made for "Minnesota 2065S4 Dakota"; and

(f) Administrative Order No. 627, dated October 8, 1941, by reducing the allocation of \$11,000 therein made for "Minnesota 2089S2 Pine" by \$7,276.67 so that the reduced allocation shall be \$3,723.33.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4003; Filed, May 6, 1953;
8:51 a. m.]

[Administrative Order 4020]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 24, 1953.

I hereby amend:

(a) Administrative Order No. 2565, dated March 17, 1950, by rescinding the loan of \$50,000 therein made for "Alaska SC Chugach".

(b) Administrative Order No. 368, dated June 30, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$2,000 therein made for "California 9-0018W1 San Diego" by \$1,516 so that the reduced allocation shall be \$484;

(c) Administrative Order No. 428, dated January 13, 1940, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$7,500 therein made for "Colorado O-3007W1 Mesa" by \$7,264 so that the reduced allocation shall be \$236;

(d) Administrative Order No. 250, dated May 20, 1938, by reducing the allocation of \$5,000 therein made for "Colorado 8015W1 Morgan" by \$337 so that the reduced allocation shall be \$4,663;

(e) Administrative Order No. 676, dated February 20, 1942, by reducing the allocation of \$10,000 therein made for "Colorado 2036S2 Routt" by \$7,033.14 so that the reduced allocation shall be \$2,966.86; and

(f) Administrative Order No. 389, dated September 11, 1939, by reducing the allocation of \$10,000 therein made for "Idaho 0010W1 Nez Perce" by \$4,951.63 so that the reduced allocation shall be \$5,048.32.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4004; Filed, May 6, 1953;
8:51 a. m.]

[Administrative Order 4021]

NEBRASKA

LOAN ANNOUNCEMENT

FEBRUARY 27, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Nebraska 63M Stanton District	-
Public	\$136,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4005; Filed, May 6, 1953;
8:51 a. m.]

[Administrative Order 4022]

TEXAS

LOAN ANNOUNCEMENT

FEBRUARY 27, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a

loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 49N Denton	\$230,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4006; Filed, May 6, 1953;
8:51 a. m.]

[Administrative Order 4023]

INDIANA

LOAN ANNOUNCEMENT

FEBRUARY 27, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Indiana 11K Warren	\$123,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4007; Filed, May 6, 1953;
8:51 a. m.]

[Administrative Order 4024]

FLORIDA

LOAN ANNOUNCEMENT

FEBRUARY 27, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Florida 33 "G" Pasco	\$116,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4008; Filed, May 6, 1953;
8:51 a. m.]

[Administrative Order 4025]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

FEBRUARY 27, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
South Dakota 33E Beadle	\$220,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4009; Filed, May 6, 1953;
8:52 a. m.]

[Administrative Order 4026]

NORTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 27, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
North Carolina C&F Hatteras Island	\$218,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4010; Filed, May 6, 1953;
8:52 a. m.]

[Administrative Order 4027]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 27, 1953.

I hereby amend:

(a) Administrative Order No. 341, dated May 2, 1939, as amended by Administrative Order No. 361, dated June 19, 1939, by reducing the allocation of \$7,000 therein made for "Illinois R9039W1 Fulton" by \$143 so that the reduced allocation shall be \$6,857;

(b) Administrative Order No. 419, dated December 18, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$5,000 therein made for "Illinois O-7039W2 Fulton" by \$144 so that the reduced allocation shall be \$4,856;

(c) Administrative Order No. 538, dated November 5, 1940, by reducing the allocation of \$12,000 therein made for "Illinois 1039W3 Fulton" by \$9,900 so that the reduced allocation shall be \$2,100;

(d) Administrative Order No. 493, dated October 18, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$5,000 therein made for "Iowa O-R9003W1 Plymouth" by \$2,183 so that the reduced allocation shall be \$2,817

(e) Administrative Order No. 635, dated November 5, 1941, by reducing the allocation of \$5,000 therein made for "Iowa 2034S3 Jones" by \$2,447.40 so that the reduced allocation shall be \$2,552.60; and

(f) Administrative Order No. 281, dated August 18, 1938, by reducing the allocation of \$5,000 therein made for "Iowa R9049W1 Hardin" by \$2,410.35 so that the reduced allocation shall be \$2,589.65.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4011; Filed, May 6, 1953;
8:52 a. m.]

[Administrative Order 4028]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 27, 1953.

I hereby amend:

(a) Administrative Order No. 403, dated October 18, 1939, as amended by

Administrative Order No. 457, dated May 10, 1940, by rescinding the allocation of \$2,000 therein made for "Ohio O-R9031-W1 Holmes"

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4012; Filed, May 6, 1953;
8:52 a. m.]

[Administrative Order 4029]

FLORIDA

LOAN ANNOUNCEMENT

MARCH 2, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Florida 22 "P" Escambia-----	\$385,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-4013; Filed, May 6, 1953;
8:52 a. m.]

[Administrative Order 4030]

OHIO

LOAN ANNOUNCEMENT

MARCH 2, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Ohio 42N Darke-----	\$380,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-4014; Filed, May 6, 1953;
8:52 a. m.]

[Administrative Order 4031]

GEORGIA

LOAN ANNOUNCEMENT

MARCH 2, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Georgia 70 X Mitchell-----	\$550,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-4015; Filed, May 6, 1953;
8:52 a. m.]

[Administrative Order 4032]

ALLOCATION OF FUNDS FOR LOANS

MARCH 2, 1953.

I hereby amend:

(a) Administrative Order No. 487, dated July 17, 1940, by reducing the allocation of \$5,000 therein made for "Montana 1021W1 Big Horn" by \$2,547.43 so that the reduced allocation shall be \$2,452.57;

(b) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$5,000 therein made for "Nebraska 2079S1 Red Willow District Public";

(c) Administrative Order No. 159, dated November 4, 1937, by reducing the allocation of \$4,000 therein made for "Washington 8008W Benton" by \$1,035.78 so that the reduced allocation shall be \$2,964.22;

(d) Administrative Order No. 305, dated October 26, 1938, by reducing the allocation of \$20,000 therein made for "Washington 9018W1 Spokane" by \$6,094.44 so that the reduced allocation shall be \$13,905.56;

(e) Administrative Order No. 415, dated December 1, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$5,000 therein made for "Washington O-R9020W1 Columbia" by \$1,868 so that the reduced allocation shall be \$3,132; and

(f) Administrative Order No. 610, dated July 25, 1941, by reducing the allocation of \$10,000 therein made for "Washington 2031W1 Chelan" by \$6,989.11 so that the reduced allocation shall be \$3,010.89.

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-4016; Filed, May 6, 1953;
8:53 a. m.]

[Administrative Order 4033]

ALLOCATION OF FUNDS FOR LOANS

MARCH 2, 1953.

I hereby amend:

(a) Administrative Order No. 559, dated February 24, 1941, by reducing the allocation of \$12,000 therein made for "Idaho 1019W2 Butte" by \$4,393 so that the reduced allocation shall be \$7,607;

(b) Administrative Order No. 1126, dated August 28, 1946, by rescinding the allocation of \$15,000 therein made for "Idaho 19G Butte";

(c) Administrative Order No. 376, dated July 20, 1939, by reducing the allocation of \$4,000 therein made for "Montana 0002W1 Cascade" by \$2,011 so that the reduced allocation shall be \$1,989;

(d) Administrative Order No. 389, dated September 11, 1939, by reducing the allocation of \$10,000 therein made for "Montana 009W1 Yellowstone" by \$5,413 so that the reduced allocation shall be \$4,587;

(e) Administrative Order No. 348, dated May 19, 1939, by reducing the allocation of \$5,000 therein made for "Montana R9010W1 Madison" by \$2,811 so that the reduced allocation shall be \$2,189;

(f) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$5,000 therein made for "Montana 2010S2 Madison" and

(g) Administrative Order No. 386, dated August 23, 1939, by reducing the allocation of \$10,000 therein made for "Montana 0012W1 Missoula" by \$6,355.52 so that the reduced allocation shall be \$3,644.48.

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-4017; Filed, May 6, 1953;
8:53 a. m.]

[Administrative Order 4034]

ALLOCATION OF FUNDS FOR LOANS

MARCH 2, 1953.

I hereby amend:

(a) Administrative Order No. 610, dated July 25, 1941, by reducing the allocation of \$5,000 therein made for "Kansas 2007W2 Jewell" by \$4,539 so that the reduced allocation shall be \$461;

(b) Administrative Order No. 297, dated September 30, 1938, by reducing the allocation of \$1,000 therein made for "Kansas R9008W1 Allen" by \$248.60 so that the reduced allocation shall be \$751.40;

(c) Administrative Order No. 576, dated April 21, 1941, by reducing the allocation of \$5,000 therein made for "Kansas 1018W2 Sedgwick" by \$2,716.46 so that the reduced allocation shall be \$2,283.54;

(d) Administrative Order No. 415, dated December 1, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$5,000 therein made for "Kansas O-7019W1 Butler" by \$854 so that the reduced allocation shall be \$4,146;

(e) Administrative Order No. 200, dated February 21, 1938, by reducing the allocation of \$25,000 therein made for "Kansas 8021W1 Shawnee" by \$18,736.55 so that the reduced allocation shall be \$6,263.45;

(f) Administrative Order No. 250, dated May 20, 1938, by reducing the allocation of \$7,500 therein made for "Kansas 8022W1 Doniphan" by \$2,645.18 so that the reduced allocation shall be \$4,854.82; and

(g) Administrative Order No. 506, dated August 15, 1940, by reducing the allocation of \$4,000 therein made for "Kansas 1039W1 Pottawatomie" by \$1,070 so that the reduced allocation shall be \$2,930.

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-4018; Filed, May 6, 1953;
8:53 a. m.]

[Administrative Order 4035]

ALLOCATION OF FUNDS FOR LOANS

MARCH 2, 1953.

I hereby amend:

(a) Administrative Order No. 310, dated December 3, 1938, by reducing the allocation of \$7,000 therein made for "Georgia R9083W1 Jackson" by \$5,993.81 so that the reduced allocation shall be \$1,006.19;

(b) Administrative Order No. 627, dated October 8, 1941, by rescinding the allocation of \$20,000 therein made for "Georgia 2083S2 Jackson";

(c) Administrative Order No. 381, dated August 16, 1939, by reducing the allocation of \$15,000 therein made for "Georgia 0086W3 Seminole" by \$586.16 so that the reduced allocation shall be \$14,413.84;

(d) Administrative Order No. 444, dated March 23, 1940, by reducing the allocation of \$2,000 therein made for "Georgia 0086W4 Seminole" by \$24 so that the reduced allocation shall be \$1,976;

(e) Administrative Order No. 569, dated March 25, 1941, by reducing the allocation of \$4,000 therein made for "Georgia 1087W2 Tattnall" by \$2,502.68 so that the reduced allocation shall be \$1,497.32;

(f) Administrative Order No. 635, dated November 5, 1941, by rescinding the allocation of \$10,000 therein made for "Georgia 2087S3 Tattnall"; and

(g) Administrative Order No. 506, dated August 15, 1940, by reducing the allocation of \$20,000 therein made for "Mississippi 1040W2 Smith" by \$6,491.94 so that the reduced allocation shall be \$13,508.06.

[SEAL]

Wm. C. Wise,
Acting Administrator

[F. R. Doc. 53-4019; Filed, May 6, 1953;
8:53 a. m.]

[Administrative Order 4036]

ALLOCATION OF FUNDS FOR LOANS

MARCH 3, 1953.

Paragraph (c) of Administrative Order No. 3993, dated February 16, 1953, should be corrected to read as follows:

(c) Administrative Order No. 386, dated August 23, 1939, by reducing the allocation of \$6,000 therein made for "Pennsylvania 0021W1 Somerset" by \$65 so that the reduced allocation shall be \$5,935; and Administrative Order No. 538, dated November 5, 1940, by reducing the allocation of \$6,000 therein made for "Pennsylvania 1021W2 Somerset" by \$3,889.76 so that the reduced allocation shall be \$2,110.24;

Paragraph (a) of Administrative Order No. 3995, dated February 16, 1953, should be corrected to read as follows:

(a) Administrative Order No. 520, dated September 25, 1940, by reducing the allocation of \$9,000 therein made for "North Carolina 1052W1 Cumberland" by \$2,616.92 so that the reduced allocation shall be \$6,383.08;

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Paragraph (e) of Administrative Order No. 3996, dated February 16, 1953, should be corrected to read as follows:

(e) Administrative Order No. 610, dated July 25, 1941, by reducing the allocation of \$5,000 therein made for "North Carolina 2040W3 Brunswick" by \$4,564 so that the reduced allocation shall be \$436; and Administrative Order No. 620, dated September 23, 1941, by rescinding the allocation of \$15,000 therein made for "North Carolina 2040S4 Brunswick";

[SEAL]

Wm. C. Wise,
Acting Administrator

[F. R. Doc. 53-4020; Filed, May 6, 1953;
8:53 a. m.]

[Administrative Order 4037]

ALLOCATION OF FUNDS FOR LOANS

MARCH 3, 1953.

Inasmuch as Laclede Electric Cooperative has transferred certain of its properties and assets to Se-Ma-No Electric Cooperative, and Se-Ma-No Electric Cooperative has assumed in part the indebtedness to United States of America, of Laclede Electric Cooperative, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1072, dated May 23, 1946, by changing the project designation appearing therein as "Missouri 43L Laclede" in the amount of \$83,000 to read "Missouri 43L Laclede" in the amount of \$63,000 and "Missouri 67TP3 Wright (Missouri 43L Laclede)" in the amount of \$20,000.

[SEAL]

Wm. C. Wise,
Acting Administrator.

[F. R. Doc. 53-4021; Filed, May 6, 1953;
8:53 a. m.]

[Administrative Order 4038]

ALLOCATION OF FUNDS FOR LOANS

MARCH 3, 1953.

Inasmuch as Sho-Me Power Corporation has transferred certain of its properties and assets to Crawford Electric Cooperative, Inc., and Crawford Electric Cooperative, Inc. has assumed in part the indebtedness to United States of America, of Sho-Me Power Corporation, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 713, dated June 19, 1942, as amended by Administrative Order No. 3859, dated November 10, 1952, by changing the project designation appearing therein as "Missouri 2059GT1 Cole" in the amount of \$2,195,441.02 to read "Missouri 2059GT1 Cole" in the amount of \$2,125,422.75 and "Missouri 54TP1 Crawford (Missouri 2059GT1 Cole)" in the amount of \$70,018.27.

[SEAL]

Wm. C. Wise,
Acting Administrator.

[F. R. Doc. 53-4022; Filed, May 6, 1953;
8:53 a. m.]

[Administrative Order 4039]

ALLOCATION OF FUNDS FOR LOANS

MARCH 5, 1953.

I hereby amend:

(a) Administrative Order No. 629, dated September 23, 1941, by reducing the allocation of \$5,000 therein made for "Texas 2021S2 Milam" by \$3,020.70 so that the reduced allocation shall be \$1,979.30;

(b) Administrative Order No. 331, dated March 31, 1939, as amended by Administrative Order No. 405, dated October 26, 1939; Administrative Order No. 570, dated March 26, 1941, and Administrative Order No. 654, dated January 5, 1942, by reducing the allocation of \$21,000 therein made for "Texas R9047S3 Deaf Smith" by \$739.16 so that the reduced allocation shall be \$20,260.84;

(c) Administrative Order No. 620, dated September 23, 1941, by reducing the allocation of \$10,000 therein made for "Texas 2047S4 Deaf Smith" by \$1,767.27 so that the reduced allocation shall be \$8,232.73;

(d) Administrative Order No. 368, dated June 30, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, by reducing the allocation of \$5,000 therein made for "Texas 9-0050W1 Grayson" by \$3,670.81 so that the reduced allocation shall be \$1,329.19;

(e) Administrative Order No. 322, dated February 20, 1939, by reducing the allocation of \$5,000 therein made for "Texas R9061W1 Coleman" by \$4,120.84 so that the reduced allocation shall be \$879.16; and

(f) Administrative Order No. 232, dated April 1, 1938, by reducing the allocation of \$5,000 therein made for "Texas 8063W1 Navarro" by \$4,687.42 so that the reduced allocation shall be \$312.58.

[SEAL]

Claude R. Wickard,
Administrator.

[F. R. Doc. 53-4023; Filed, May 6, 1953;
8:53 a. m.]

[Administrative Order 4040]

ALLOCATION OF FUNDS FOR LOANS

MARCH 5, 1953.

I hereby amend:

(a) Administrative Order No. 610, dated July 25, 1941, as amended by Administrative Order No. 654, dated January 5, 1942, by reducing the allocation of \$2,000 therein made for "Texas 2054S3 Wood" by \$1,327.08 so that the reduced allocation shall be \$672.92;

(b) Administrative Order No. 675, dated February 19, 1942, by rescinding the allocation of \$6,000 therein made for "Texas 2054S5 Wood";

(c) Administrative Order No. 1053, dated May 2, 1946, by reducing the allocation of \$10,000 therein made for "Texas 54U Wood" by \$100 so that the reduced allocation shall be \$9,900;

(d) Administrative Order No. 323, dated March 22, 1939, as amended by Administrative Order No. 460, dated May 18, 1940, by reducing the allocation of \$1,000 therein made for "Texas R9070W1

Hamilton" by \$942.21 so that the reduced allocation shall be \$57.79;

(e) Administrative Order No. 326, dated March 11, 1939, by reducing the allocation of \$5,000 therein made for "Texas R9071W1 Clay" by \$4,521.26 so that the reduced allocation shall be \$478.74; and

(f) Administrative Order No. 506, dated August 15, 1940, by reducing the allocation of \$10,000 therein made for "Texas 1076W2 Blanco" by \$5,327.65 so that the reduced allocation shall be \$4,672.35.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4024; Filed, May 6, 1953;
8:54 a. m.]

[Administrative Order 4041]

ALLOCATION OF FUNDS FOR LOANS

MARCH 5, 1953.

I hereby amend:

(a) Administrative Order No. 620, dated September 23, 1941, by reducing the allocation of \$35,000 therein made for "Minnesota 2083S2 Hubbard" by \$152.05 so that the reduced allocation shall be \$34,847.95;

(b) Administrative Order No. 748, dated March 20, 1943, by reducing the allocation of \$15,000 therein made for "Minnesota 3-2083S3 Hubbard" by \$13,411.47 so that the reduced allocation shall be \$1,588.53;

(c) Administrative Order No. 718, dated June 19, 1942, by reducing the allocation of \$5,000 therein made for "Minnesota 2085S2 Todd" by \$2,330.38 so that the reduced allocation shall be \$2,669.62;

(d) Administrative Order No. 610, dated July 25, 1941, by reducing the allocation of \$40,000 therein made for "Minnesota 2092W2 South Itasca" by \$22,350.86 so that the reduced allocation shall be \$17,649.14; and

(e) Administrative Order No. 620, dated September 23, 1941, as amended by Administrative Order No. 3741, dated June 30, 1952, by reducing the allocation of \$20,000 therein made for "Minnesota 92(1093S2) South Itasca" by \$13,312.97 so that the reduced allocation shall be \$6,687.03.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4025; Filed, May 6, 1953;
8:54 a. m.]

[Administrative Order 4042]

ALLOCATION OF FUNDS FOR LOANS

MARCH, 5, 1953.

I hereby amend:

(a) Administrative Order No. 559, dated February 24, 1941, by reducing the allocation of \$5,000 therein made for "Minnesota 1001W4 Kanabec" by \$127.64 so that the reduced allocation shall be \$4,872.36;

(b) Administrative Order No. 610, dated July 25, 1941, by rescinding the allocation of \$5,000 therein made for "Minnesota 2001W5 Kanabec"

(c) Administrative Order No. 444, dated March 23, 1940, as amended by Administrative Order No. 457, dated May 10, 1940, by rescinding the allocation of \$1,000 therein made for "Minnesota O-8010W1 Carlton"

(d) Administrative Order No. 544, dated December 6, 1940, by reducing the allocation of \$5,000 therein made for "Minnesota 1010W2 Carlton" by \$4,447.37 so that the reduced allocation shall be \$552.63;

(e) Administrative Order No. 376, dated July 20, 1939, by reducing the allocation of \$10,000 therein made for "Minnesota 0034W2 Stearns" by \$113 so that the reduced allocation shall be \$9,887

(f) Administrative Order No. 544, dated December 6, 1940, by reducing the allocation of \$6,000 therein made for "Minnesota 1034W3 Stearns" by \$260 so that the reduced allocation shall be \$5,740; and

(g) Administrative Order No. 627, dated October 8, 1941, by reducing the allocation of \$10,000 therein made for "Minnesota 2034S4 Stearns" by \$9,226.16 so that the reduced allocation shall be \$773.84,

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4026; Filed, May 6, 1953;
8:54 a. m.]

[Administrative Order 4043]

GEORGIA

LOAN ANNOUNCEMENT

MARCH 9, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Texas 97 "L" Childress..... \$105,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4027; Filed, May 6, 1953;
8:54 a. m.]

[Administrative Order 4044]

MISSOURI

LOAN ANNOUNCEMENT

MARCH 9, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Missouri 49 "V" Howell..... \$435,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4028; Filed, May 6, 1953;
8:55 a. m.]

[Administrative Order 4045]

FLORIDA

LOAN ANNOUNCEMENT

MARCH 9, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Florida 16 "T" Sumter..... \$485,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4029; Filed, May 6, 1953;
8:55 a. m.]

[Administrative Order 4046]

ALABAMA

LOAN ANNOUNCEMENT

MARCH 9, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Alabama 35 "H" Jackson..... \$616,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4030; Filed, May 6, 1953;
8:55 a. m.]

[Administrative Order T-269]

LOUISIANA

LOAN ANNOUNCEMENT

MARCH 3, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Star Telephone Co., Inc., Louisiana 509-B..... \$164,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-4031; Filed, May 6, 1953;
8:55 a. m.]

[Administrative Order T-270]

NORTH DAKOTA

LOAN ANNOUNCEMENT

MARCH 5, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Dakota Central Rural Telephone
Cooperative Association, A
Mutual Aid Corporation, North
Dakota 521-A----- \$419,000

* Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4032; Filed, May 6, 1953;
8:55 a. m.]

[Administrative Order T-271]

LOUISIANA

LOAN ANNOUNCEMENT

MARCH 10, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Reserve Telephone Co., Inc., Louis-
iana 503-B----- \$263,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-4033; Filed, May 6, 1953;
8:55 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MONTANA

CLASSIFICATION ORDER NO. 2, AMENDED

Montana Small Tract Classification Order No. 2, dated April 13, 1953 (18 F. R. 2155) is hereby amended by deleting therefrom paragraph 8 which reads as follows:

8. Leases will be subject to renewal by application filed in the Montana Land Office not more than 6 months or less than 60 days prior to the expiration of the lease, and provided the lessee has complied with the improvement requirements and other terms of the lease.

ALBIN D. MOLOHON,
Regional Administrator.

[F. R. Doc. 53-3980; Filed, May 6, 1953;
8:48 a. m.]

Bureau of Reclamation

[Commissioner's Order No. 23]

REGIONAL DIRECTORS

REDELEGATION OF AUTHORITY WITH RESPECT TO HALOGETON GLOMERATUS CONTROL

APRIL 20, 1953.

SECTION 1. *Redelegation.* With respect to lands within their respective administrative jurisdiction Regional Directors may carry out the provisions of the Halogeton Glomeratus Control Act (Public Law 529, 82d Congress)

SEC. 2. *Authority.* This order is issued pursuant to Departmental Order No. 2712.

FRED G. AANDAH,
Assistant Secretary for
Water and Power Development.

[F. R. Doc. 53-3969; Filed, May 6, 1953;
8:45 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

ELECTRICAL AGENCIES (LONDON) LTD., AND
F. GEVIRTZMAN

ORDER REVOKING LICENSES AND TEMPORARILY DENYING LICENSE PRIVILEGES

In the matter of Electrical Agencies (London) Ltd., F. Gevirtzman, Managing Director, 15, Percy Street, Tottenham Court Road, London, W. 1, England, respondents.

Pursuant to the provisions of § 332.11 (b) of the export control regulations issued under the Export Control Act of 1949, as amended, the Director of the Investigation Staff of the Office of International Trade, United States Department of Commerce, applied to Compliance Commissioner Paul M. Greene on April 8, 1953, for an order temporarily suspending Electrical Agencies (London) Ltd., and its managing director, F. Gevirtzman, London, England, from all United States export privileges and from participating in any exportations of any commodity from the United States to any destination until such respondents, or any of them, submit to the Office of International Trade certain specific documentary evidence and other data heretofore requested from them by the Investigation Staff relating to their possible participation in an unauthorized transshipment from England to Poland of articles having a high strategic value, to wit, United States origin transmitting type radio tubes.

It appears from the aforementioned application and the evidence submitted to the Compliance Commissioner in support thereof that a shipment of transmitting type radio tubes of United States origin was received in England in May 1951 by respondents as ultimate consignees; that said radio tubes had been ordered by said respondents from an American exporter in November 1950; that in said order respondents represented that England was the country of ultimate destination and that said radio tubes were for resale and for replacements in that country; that such representations were put on the license application by such exporter; that a validated license authorizing the shipment of said tubes to respondents in England was issued by the Office of International Trade in reliance thereon; that the shipping documents relating to such shipment bore the required United States export control statement, "These commodities licensed by U. S. for ultimate destination England. Diversion contrary to U. S. law prohibited"; and that upon arrival in England said radio tubes were thereafter diverted and transshipped to Poland.

It appears further that the Investigation Staff, Office of International Trade, has undertaken an investigation of the matter in the United States and abroad for the purpose of ascertaining the facts relating to such diversion; that respondents informed the Investigation Staff that they had sold said tubes to a Liechtenstein firm believing that the latter would resell them in England; that the Liechtenstein firm informed the Investigation Staff that they had no part in the transaction and had not purchased said tubes from respondents or re-exported them to Poland; that respondents were then confronted with this denial by the Liechtenstein firm and requested to submit documentary proof of the claimed sale; that respondents failed and refused to submit such documentary proof; that thereafter the Investigation Staff submitted formal written interrogatories dated February 24, 1953, directed to and served upon respondents by the American Embassy in London, England, on March 9, 1953, seeking the documentary evidences of respondents' disposition of the tubes for the purpose of ascertaining whether respondents in fact had any part in the diversion of the tubes to Poland, and, if not, the identity of the person or persons who did participate in such diversion, all of which data are peculiarly within the knowledge of said respondents and cannot be obtained from any other source available to the Investigation Staff; that said respondents have refused and continue to refuse to furnish such documentary evidence and other data to the Investigation Staff pursuant to such interrogatories; and that the investigation of this matter has therefore been impeded and impaired by such action on the part of said respondents.

In considering the aforesaid application and supporting evidence, the Compliance Commissioner has pointed out that section 6 (a) of the Export Control Act of 1949, as amended, authorizes the Office of International Trade to investigate violations of this act and regulations issued thereunder, and to obtain information relevant thereto from any person. The Commissioner has also pointed to the practice of the Office of International Trade to require parties to applications for United States export licenses, and who thereby seek permission to effect exportations from the United States, to disclose pertinent facts relating to their past uses of export licenses. This practice derives from the general principle that the grant of an export license may be conditioned on the furnishing of information necessary or appropriate to the determination of the lawfulness of the transaction and the reliability of the parties. This is the case whether the person from whom the information is sought is the American applicant or the foreign consignee. A person who refuses, without justification, to disclose pertinent information about his participation in a previously licensed export transaction would not appear to be entitled to participate in future export transactions, especially

where information already in the possession of the Office of International Trade indicates that the commodity involved in a previously licensed transaction did not go to its authorized declared destination, and it is necessary to know whether such person had any participation therein. To proceed otherwise would entail unjustifiable risks to the integrity of the export control system. The purpose of an export denial order in a case like this is a precisely to prevent a person from participating in future export transactions who has thus raised serious question as to his trustworthiness to participate in future export transactions.

It appears from the foregoing, and from the fact that respondents have appeared as parties to applications for validated export licenses and may be parties to further exportations of commodities from the United States, that it would be contrary to the public interest to permit the respondents and any of them to participate in exportations from the United States until they comply with the written interrogatories of the Investigation Staff, Office of International Trade, as aforesaid, to submit the required evidence and data, obtainable from their books and records or from other sources; that there is reasonable ground to believe from the foregoing that respondents may have made, or caused to be made, to the Office of International Trade material misrepresentations as to the ultimate destination of other possible exportations of commodities from the United States and that such commodities may likewise be diverted to unauthorized destinations contrary to United States export control law and regulations unless said respondents are prohibited from export privileges and from participating in exportations from the United States. It accordingly appears that the temporary suspension of their export privileges as hereinbelow provided is fair and reasonable, and is necessary to protect the public interest, pending completion of the investigation relating to the diversion of these radio tubes.

Now, therefore, it is ordered as follows:

(1) All outstanding validated export licenses in which respondents, or any of them, appear or participate as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be forthwith returned to the Office of International Trade for cancellation, and delivery of any shipment of commodities from the United States which may be now or during the term of this order intended for said respondents, or any of them, pursuant to said validated export licenses, or under general license, are prohibited.

(2) Respondents, their successors or assigns, directors, officers, associates, partners, representatives, agents, and/or employees be and they hereby are denied the privileges of exporting, receiving, or otherwise participating, directly or indirectly in any exportation of any commodity, or of technical data, from the United States to any destination, including Canada, and of participating, directly or indirectly, in the financing,

forwarding, transporting, or other servicing of such exports.

(3) Such denial of export privileges shall apply not only to the named respondents and each of them, but also to any person, firm, corporation, or business organization with which they, or any of them, may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports of commodities from the United States or the receiving of such exports.

(4) This order shall be effective from the date of its issuance not only until the said respondents or any of them have satisfactorily complied with the written interrogatories of the Investigation Staff, Office of International Trade, served upon them on March 9, 1953, as aforesaid, and have submitted to the Investigation Staff the required documentary evidence and other data requested therein, but also until the completion of the pending investigation, except in so far as this order may be hereafter extended, amended, or modified in accordance with the provisions of the Export Control Regulations.

(5) A certified true copy of this order shall be served upon the named respondents and each of them.

(6) In accordance with the provisions of § 382.11 (c) of the Export Control Regulations, the respondents may at any time move to vacate or modify this temporary suspension order by filing an appropriate motion therefor with the Compliance Commissioner and may request oral hearing thereon, which if requested, shall be held before the Compliance Commissioner at the earliest possible date: *Provided, however* That if the Investigation Staff, Office of International Trade, certifies to the Compliance Commissioner that respondents have fully and satisfactorily complied with the requirements of the written interrogatories served upon them as aforesaid, then, if the Compliance Commissioner so recommends, this temporary suspension order may be vacated or modified.

Dated: May 1, 1953.

WALLACE S. THOMAS,
Acting Assistant Director
for Export Supply.

[F. R. Doc. 53-3978; Filed, May 6, 1953;
8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1857]

KANSAS-NEBRASKA NATURAL GAS CO., INC.
NOTICE OF EXTENSION OF TIME TO ACCEPT
CERTIFICATE

MAY 1, 1953.

Upon consideration of the request for extension of time within which to accept the Certificate of Public Convenience and Necessity, issued on February 26, 1953, as contained in the Petition for Modification filed on April 27, 1953;

Notice is hereby given that an extension of time is granted to and including July 31, 1953, within which to accept the Certificate of Public Convenience and

Necessity issued on February 26, 1953, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3970; Filed, May 6, 1953;
8:45 a. m.]

[Docket Nos. G-2070, G-2080]

ALABAMA-TENNESSEE NATURAL GAS CO.

NOTICE OF CONTINUANCE OF HEARING

MAY 1, 1953.

Notice is hereby given that the hearing now scheduled to commence on May 25, 1953, in the above-designated matter, is hereby continued to June 8, 1953, at 10:00 a. m., e. d. s. t., in the Commission's Hearing Room, 441 G Street NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3971; Filed, May 6, 1953;
8:45 a. m.]

[Docket No. G-2105]

HOPE NATURAL GAS CO.

ORDER SUSPENDING PROPOSED RATE SCHEDULES AND PROVIDING FOR HEARING

On April 1, 1953, Hope Natural Gas Company (Hope) pursuant to Part 154 of the Commission's general rules and regulations, filed with the Commission proposed Seventh Revised Sheet No. 3, Fifth Revised Sheet No. 3-A, Sixth Revised Sheet No. 4, Fifth Revised Sheet No. 4-A and Third Revised Sheet No. 5, respectively to its FPC Gas Tariff, Original Volume No. 1, setting forth therein its proposed Rate Schedules H-1A, H-1B, H-2A, H-2B and H-3, respectively and requested that such proposed rate schedules be permitted to become effective as of May 1, 1953.¹

The proposed rate schedules would increase the presently effective rates and charges to Hope's six interstate wholesale customers; namely, The Manufacturers Light and Heat Company (Manufacturers), Mount Morris Gas Company (Mount Morris), The Peoples Natural Gas Company (Peoples), The East Ohio Gas Company (East Ohio), New York State Natural Gas Corporation (New York Natural), and The River Gas Company (River Gas).

Copies of the proposed rate schedules, together with copies of material submitted by Hope to this Commission pursuant to § 154.63 of the Commission's general rules and regulations (18 CFR 154.63) were transmitted by Hope to each of its said interstate wholesale customers. Peoples, East Ohio, New York Natural and River Gas are affiliates of Hope in the Consolidated Natural Gas Company system.

According to Hope's estimates, the proposed rate schedules would increase the presently effective rates and charges

¹ Such proposed effective date would provide less than the statutory 30 days' notice.

for the interstate sales by a total of \$3,827,676 for the year ending April 30, 1954, distributed as follows:

Customer:	Increase
Manufacturers.....	\$251,343
Mount Morris.....	1,069
Peoples.....	627,416
East Ohio.....	2,051,472
River Gas.....	59,475
New York Natural.....	836,896
Total	3,827,676

Hope avers that the proposed increased rates are necessitated by reason of increased costs of gas purchased and increased labor costs. However, the major portion of the claimed increase in purchased gas costs is subject to refund and other portions thereof are dependent upon the level of Hope's rates.

The rates, charges and classifications set forth in Seventh Revised Sheet No. 3, Fifth Revised Sheet No. 3-A, Sixth Revised Sheet No. 4, Fifth Revised Sheet No. 4-A and Third Revised Sheet No. 5 to Hope's FPC Gas Tariff, Original Volume No. 1, comprising the proposed new Rate Schedules H-1A, H-1B, H-2A, H-2B and H-3 may be unjust, unreasonable, unduly discriminatory and preferential, and may place an undue burden upon the ultimate consumers of the natural gas.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges and classifications set forth in Hope Natural Gas Company's Seventh Revised Sheet No. 3, Fifth Revised Sheet No. 3-A, Sixth Revised Sheet No. 4, Fifth Revised Sheet No. 4-A and Third Revised Sheet No. 5 to its FPC Gas Tariff, Original Volume No. 1, and that said tariff sheets filed in this proceeding be suspended pending hearing and decision thereon.

The Commission orders:

(A) A public hearing be held at a date and place hereinafter to be fixed by the Commission concerning the lawfulness of the rates, charges and classifications subject to the jurisdiction of the Commission, as set forth in Seventh Revised Sheet No. 3, Fifth Revised Sheet No. 3-A, Sixth Revised Sheet No. 4, Fifth Revised Sheet No. 4-A and Third Revised Sheet No. 5 to FPC Gas Tariff, Original Volume No. 1, filed by Hope Natural Gas Company.

(B) Pending such hearing and decision thereon, said tariff sheets filed in this proceeding by Hope Natural Gas Company on April 1, 1953, be and they hereby are suspended and the use thereof is deferred until October 2, 1953,² unless otherwise ordered by the Commission, and until such further time thereafter as such tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§1.8 and

²To allow the full 30 days' notice required by the act, the proper effective date must be no earlier than May 2, 1953.

1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: April 30, 1953.

Issued: May 1, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3972; Filed, May 6, 1953;
8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3237]

ADOLF GOBEL, INC.

ORDER SUMMARILY SUSPENDING TRADING

In the matter of trading on the American Stock Exchange in the \$1.00 par value Common Stock of Adolf Gobel, Inc., File No. 1-3237.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 1st day of May A. D. 1953.

The Commission by order adopted March 13, 1953, pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, having summarily suspended trading in the \$1 par value common stock of Adolf Gobel, Inc. on the American Stock Exchange for a period of ten days from that date, and subsequently having entered additional orders further suspending such trading in order to prevent fraudulent, deceptive, or manipulative acts or practices; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on that Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange:

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices, effective at the opening of the trading session on said Exchange on May 4, 1953, for a period of ten days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-3975; Filed, May 6, 1953;
8:46 a. m.]

[File No. 70-3918]

NEW ORLEANS PUBLIC SERVICE, INC.

SUPPLEMENTAL ORDER REGARDING ISSUANCE
AND SALE OF PRINCIPAL AMOUNT OF FIRST
MORTGAGE BONDS

MAY 1, 1953.

On April 2, 1953, the Commission issued its order approving the application filed by New Orleans Public Service, Inc. ("New Orleans") a public utility subsidiary of Middle South Utilities, Inc., a registered holding company, with respect to the issuance and sale pursuant to the competitive bidding requirements of Rule U-50, of \$6,000,000 principal amount of first mortgage bonds, 3½ percent Series, due 1983. The application of New Orleans provided, among other things, that the interest rate on the proposed bonds should not exceed 3¾ percent and that the price to be paid to the Company for such bonds should not be less than the principal amount thereof.

On April 3, 1953, New Orleans caused to be published in The Wall Street Journal a notice stating that it was publicly inviting sealed bids for the purchase from it of \$6,000,000 principal amount of first mortgage bonds under the conditions set forth in its application. Such notice provided that bids would be received up to 12 o'clock Noon, New York Time, April 14, 1953, (or such later date as might be fixed by the Company, as provided in the Statement of Terms and Conditions) at which time the bids would be opened. On or about April 13, 1953, New Orleans concluded, because of certain conditions affecting the bond market, that none of the bidders who had filed prospective bidders questionnaires would submit bids for said bonds under the interest and price limitations described above. As a result, New Orleans notified the representatives of all groups of prospective bidders that the time for receiving bids would be postponed until May 12, 1953, or such earlier date as the Company might designate and so notify such representative.

On April 22, 1953, New Orleans applied to the Commission Council of the City of New Orleans for an amendment to the Ordinance authorizing the issuance and sale of the bonds so that such Ordinance would provide that the bonds might bear interest at a rate greater than 3¾ percent. On April 24, 1953, an Ordinance was introduced in the Commission Council to permit the issuance and sale of the proposed bonds with an interest rate not to exceed 4¾ percent and at a price to the Company of not less than 100 percent of the principal amount of such bonds. New Orleans states that this Ordinance was adopted and signed on May 1, 1953, and will become effective on May 11, 1953.

New Orleans now proposes to revoke its invitation for bids dated April 3, 1953, relating to the issuance and sale of such bonds and to so notify the representatives of all groups of prospective bidders who have filed qualifying bidders questionnaires. New Orleans further proposes to readvertise on May 4, 1953, for sealed written proposals for the purchase

from it of the bonds on the basis of the interest and price conditions contained in the Ordinance of the Commission Council of the City of New Orleans, as above described, such bids to be submitted not later than 12 o'clock noon, New York time, on May 11, 1953.

The Commission finding that it is appropriate to grant the relief requested by New Orleans, and further finding that New Orleans is entitled to an exemption from the provisions of sections 6 (a) and 7 of the act pursuant to the provisions of section 6 (b) with respect to the proposed sale of said bonds, and the Com-

mission being of the opinion that it is appropriate to grant such application as further amended without the imposition of terms and conditions other than those hereinafter stated:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act that said application, as further amended, be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions contained in Rule U-24 and subject to the following additional conditions:

1. That the proposed sale of bonds by New Orleans may not be consummated until the results of competitive bidding

pursuant to Rule U-50 shall have been made a matter of record in these proceedings, and a further order shall have been entered by this Commission in the light of the record as so completed;

2. That jurisdiction heretofore reserved in our order of April 2, 1953, with respect to all fees and expenses to be paid in connection with the proposed transactions, be continued.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R., Doc. 53-3974; Filed, May 6, 1953;
8:46 a. m.]